

## **CHAPTER 1: GENERAL LEAVE ADMINISTRATION**

**PERSONNEL LETTER (PL): 630-1**

**DATE: November 10, 2008**

### **PURPOSE**

This Chapter -

- Applies to all employees, except those who do not have a regular tour of duty on one or more workdays during the administrative workweek (e.g., intermittent employees).
- Describes the various types of leave an employee may request, and the documentation required.
- Is revised to indicate that employees cannot approve their own leave requests.
- Supersedes PL 630-1, Chapter 1 dated May 2007.

### **POLICY**

The Bonneville Power Administration provides a variety of leave that is earned, requested, granted, denied, and charged in accordance with the procedures in this PL, which derives its authority from the Office of Personnel Management (OPM) regulations and Title 5 U.S.C. The minimum charge for annual and sick leave is 30 minutes and additional charges are in multiples of that.

Managers are responsible for ensuring that employees understand the leave rules and that there is documentation for the leave requested, as well as maintaining the appropriate records for Payroll Operations.

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## **I. DEFINITIONS**

Definitions that are pertinent to more than one chapter are listed below. All other definitions are located in the applicable chapter.

### **Absence Without Leave (AWOL)**

An absence, which has not been authorized by the proper management official.

### **Accrued Leave**

Leave which has been earned during the current leave year and which remains available for use during that leave year.

### **Accumulated Leave**

The total leave carried over from the previous year, including restored annual leave (maintained in a separate account) and accrued leave.

### **Compensatory Time**

An alternative form of compensation for overtime worked under authority of either the Fair Labor Standards Act or under 5 CFR, Part 550, Subpart A. It is time off for an equal amount of overtime worked, instead of pay. Compensatory time is subject to the conditions and requirements that apply to the payment of overtime.

### **Compensatory Time – Travel**

A form of compensatory time, under authority of 5 CFR, Part 550, Subpart N, for time spent by an employee in a travel status away from the employee's official duty station when such time is not otherwise compensable under other authority.

### **Credit Hours**

Applies to Annual Employees that elect to work hours with prior supervisory approval; during established flexible time bands, which are in excess of the employee's basic work requirement and are worked so as to vary the length of a workweek or workday. Credit hours are regular work hours and not overtime hours.

### **Excused Absence**

An absence granted administratively, without loss of pay or charge to leave or other personal time-off accounts. (Although commonly known as administrative leave, excused absence derives its authority from the hours of duty provisions of personnel law and not from leave administration provisions.).

**Family Friendly Leave**

Full-time or part-time employees may use a limited amount of sick leave for family care or bereavement purposes (See PL 630-1, Leave Administration--Sick Leave, Chapter 3, Sick Leave Procedures and Requirement (for Self and Family Members), for further definitions).

**Family Medical Leave Act (FMLA)**

An Act under Public Law 103-3, which became effective February 5, 1993, and entitles an eligible employee (who has 12 months total Federal service) to be absent from work on Leave Without Pay (LWOP) for 12 weeks for any 12-month period for self or a family member with a serious health condition (See PL 630-1, Leave Administration--Family and Medical Leave, Chapter 8, Family and Medical Leave Act (FMLA) Procedures and Requirements, for further definitions under FMLA).

**Full-Time Employee**

An employee who occupies a position which is regularly scheduled to work 80 hours in a biweekly pay period.

**Intermittent Employee**

An employee who occupies a job/position that does not have a regular schedule. An Intermittent employee receives compensation only for time actually worked and is not eligible for any type of leave or excused absence.

**Leave Ceiling**

The maximum annual leave that may be carried over to the following leave year. For most employees, this figure is 240 hours of annual leave. For Senior Executive Service employees, this is usually 720 hours. (Refer to PL 630-1, Chapter 2, Leave Administration--Annual Leave, Section VII.).

**Leave Without Pay (LWOP)**

An approved absence without pay which may be granted only upon an employee's request. The absence of an employee who does not have sufficient leave to cover an otherwise authorized absence will be treated as though he/she requested leave without pay.

**Leave Year**

The 12-month period which begins with the first day of the first complete pay period in a calendar year and ends with the day immediately before the first day of the first complete pay period in the following calendar year.

**Medical Certificate**

A written statement signed by a state-licensed diagnostician certifying the incapacitation, examination, or period of sickness or disability during which the employee was a patient receiving medical treatment. A written statement from a state-licensed practitioner certifying that the employee is/was receiving counseling/treatment is also acceptable. For the purpose of this PL, a practitioner includes an alcohol or drug abuse counselor, a

Christian Science practitioner, a marriage counselor, and a psychologist or psychiatric social worker, so long as the treatment is within his/her authority to administer. (Note: This definition does not apply to the Family and Medical Leave Act [see PL 630-1, Chapter 8, Leave Administration – Family and Medical Leave]).

**On-Call Employee**

An employee that works under a permanent (competitive or excepted) appointment on an as needed basis during periods of heavy workload. An on-call employee is expected to have a cumulative service period of at least 6 months in pay status each year. An on-call employee may have a full-time or part-time tour-of-duty.

**Over-Ceiling**

For most employees, this occurs when an employee's annual leave balance exceeds 240 hours at the end of the leave year. This is known as "use-or-lose" leave.

**Part-Time Employee**

An employee who occupies a position which has an established tour of duty which is 16-32 hours per week (32-64 hours per pay period if on a compressed work schedule); see PL No. 340-1, Part-Time Employment for authorized exceptions.

**Regularly Scheduled Work**

Work that is scheduled, by an appropriate management official, in advance of the established administrative work week.

**Restored Annual Leave**

Annual leave which had been forfeited and is subsequently restored and maintained in a separate account.

**Seasonal Employee**

An employee who is employed with recurring periods of work lasting less than 12 months, but more than 6 months, in a service year. Employees who work on a seasonal basis hold permanent (competitive or excepted) appointments. A seasonal employee may have a full-time, part-time, or intermittent tour of duty.

**Tour of Duty**

The hours of a day (daily tour of duty) and the days of the week (weekly tour of duty) which constitute an employee's regularly scheduled administrative work week.

**II. PRACTICAL USE OF POLICY**

- A. Minimum Charge of Annual and Sick Leave:** The minimum charge for annual and sick leave is 30 minutes and additional charges are in multiples thereof.
- B. Leave During Administrative Work Week:** Leave may be charged and an excused absence may be granted only on days in which the employee is otherwise scheduled

to work (the employee's regularly scheduled administrative work week). Leave may not be charged for an absence during the specific hours an employee is scheduled to work overtime.

- C. **Order of Precedence for Converting Leave:** Any period of approved leave which exceeds the employee's leave balance in the category of leave requested, will be sequentially converted in the order of precedence indicated in Exhibit 1A of this PL until all excessive leave is fully accounted for.

**Note:** Credit hours are technically not an excused absence; rather, they are hours of work that are earned in advance to substitute for future hours of work (e.g., to shorten a future workday or workweek). They are referenced in this PL for the convenience of the user only.

- D. **Alternating Paid and Unpaid Leave:** Periods of paid leave and LWOP may not be alternated in order to obtain the benefit of holiday pay.
- E. **Charge of AWOL:** Any period of absence which has not been authorized in accordance with the provisions of this PL will be treated as AWOL. A charge of AWOL may be changed to an authorized absence upon managerial approval of the absence.
- F. **Negotiated Agreements:** Provisions of this PL will be administered in conjunction with any collective bargaining unit requirement.

### III. RESPONSIBILITIES/AUTHORITIES

- A. **Chief Executive Officer, through the Chief Operating Officer** is responsible for leave administration in accordance with delegated authorities and governing laws, regulations, and Departmental policies which are conveyed in this PL. The Chief Executive Officer approves LWOP in excess of 52 calendar weeks. The Chief Executive Officer has sole authority/responsibility to declare system-wide Office closures, and for closure of Offices in Portland and Vancouver. These authorities are redelegated to the Chief Operating Officer and/or to those officials who, from time-to-time, are called upon to perform the duties of the Chief Executive Officer.
- B. **Senior Vice Presidents, as well as Vice Presidents who do not report to a Senior Vice President** have sole responsibility for making the determination that an exigency exists, which may warrant cancellation of previously approved annual leave.
- C. **Senior Vice Presidents and Vice Presidents** are responsible for leave administration in accordance with the provisions of this PL. These officials have delegated authority to issue administrative orders for alteration of work place, moving of offices, breakdown of equipment, and similar interruption of normal operations, provided

other duties or training cannot reasonably be scheduled during the interruption (not to exceed eight (8) hours).

- D. Tier II Managers** are responsible for leave administration in accordance with the provisions of this PL. Tier II managers, or second-level managers, whichever is lower; have delegated authority to approve LWOP in excess of 30 days but less than six (6) months. In addition, Tier II managers have delegated authority to grant LWOP for periods in excess of 6 months and, in certain cases for longer periods, as described in Chapter 5. They are responsible for ensuring that subordinate managers and employees plan and schedule leave so that a minimum disruption of work results, and employees do not forfeit annual leave.
- E. Chief Human Capital Officer** is responsible, through appropriate staff for:
- Official leave policy inquiries and communications with OPM and the Department of Energy (DOE) offices;
  - Providing advice and assistance to managers regarding leave administration and;
  - Providing periodic leave administration reminders to employees.
  - Administering the Voluntary Leave Transfer Program and to restore annual leave forfeited as the result of an approved exigency through his/her delegated authority.
- F. Managers** Can approve LWOP for less than 30 continuous calendar days. Managers are responsible for approving/disapproving leave requests, and for planning and scheduling work assignments of subordinate employees so that a minimum disruption of work results and employees do not forfeit annual leave. Managers have delegated authority to approve/deny leave and excused absence in accordance with the provisions of this PL. Refer to BPA's Collective Bargaining Agreements for any responsibilities specific to a particular bargaining unit. In addition, for all employees, managers have the responsibility to:
- Assure that employees and timekeepers understand leave rules;
  - Maintain awareness of subordinate's leave balances so as to avoid approval of nonexistent leave and to remind employees about the potential loss of annual leave, including restored leave;
  - Require proper evidence for use of sick leave (see PL 630-1, Chapter 3 Leave Administrations--Sick Leave);
  - Ensure that employee leave documentation, as required by this guidance, is maintained in accordance with Time and Labor procedures and the provisions of this PL;
  - Ensure that the duties of an employee who is incapacitated through injury, illness, or pregnancy, are consistent with BPA's interest in his/her continued health and well-being (a change in job/position duties or temporary reassignment in some cases may be required);

- Ensure that an exigency is properly documented and approved prior to canceling the leave of an employee with use-or-lose leave;
- Ensure that donated leave is used by a recipient, under the Voluntary Leave Transfer Program, only for the purpose of the approved medical emergency for which the leave recipient was approved;
- Determine whether requests for leave under the Family and Medical Leave Act (FMLA) and Family Friendly Leave meet the criteria contained in this PL, and to require proper medical documentation as needed (a copy of the medical documentation will be filed in the Employee Medical File [EMF] in the Human Capital Management office; and
- Maintain such records as are necessary for Payroll Disbursement to carry out its responsibilities to forward information on the use of FMLA and sick leave for a family member usage when an employee moves to another Federal organization serviced by a different payroll office.

**G. Payroll Disbursement** will maintain such records as are prescribed by Code of Federal Regulation, Parts 1 to 699, Administrative Personnel. Payroll Disbursement will forward information to DOE or another agency when an employee moves to a job/position serviced by a different payroll office.

**H. Employees** are responsible for requesting approval of leave as soon as it is known that such leave will be desired or required. Employees must plan all nonemergency leave well in advance to allow the manager time to schedule the unit's work assignments and to avoid situations where employees approach the end of the leave year with use-or-lose leave which may have to be forfeited. Employees are responsible for notifying their managers as soon as they are aware that they will not be able to report for work, but not later than two (2) hours into the daily tour of duty of the first half of the day of absence or a lesser period of time, if required by the employee's manager.

An employee will not approve his/her own leave request. Employees are responsible for accurately and timely reporting their leave usage by following procedures in PL 630-1, Leave Administration--Annual Leave, Chapter 2, and Section IV. They are responsible for following their manager's leave approval procedures, and for appropriately using sick leave. If employees are receiving donated leave through the Voluntary Leave Transfer Program, they are responsible for notifying their supervisors and the Medical Program Coordinator of the termination of their medical emergencies and for providing medical documentation, as required, to certify a medical emergency.

Employees are responsible to give reasonable notice of leave when invoking their entitlement under the Family Medical Leave Act. Employees should submit the FMLA Application form (3510.04e) to the manager at least 30 calendar days before

the date the leave is to begin or as soon as it is practical for events such as birth, placement, or planned medical treatment.

Employees are responsible for notifying their managers of any condition that might affect their ability to perform work, and for providing any required medical statements in connection with such a condition and subsequent return to duty.

#### IV. RECORDKEEPING

- A. Records Maintained by Payroll Disbursement:** Every employee absence must be documented and maintained in accordance with Title 5, Code of Federal Regulations, Parts 1 to 699, Administrative Personnel and relevant General Accounting Office standards. Payroll Disbursement will maintain such records as are prescribed by Title 5 and forward the information to DOE or another agency when an employee moves to a job/position serviced by a different payroll office.
- B. Records Maintained by Managers:** Managers will maintain such records as are necessary for Payroll Disbursement to carry out its responsibilities in the preceding paragraph.

Documentation and approval of leave requests are official records and must be maintained in Official Files and retained for 3 years. The file code is FI-18-11. Storage options are as follows:

1. Electronic records (including OPM Form 71e and e-mail messages) must be stored in a secure drive and labeled or indexed to ensure availability and access throughout their active life. In addition, the leave electronic file should be retained in such a way as to allow for records disposal at the end of 3 years. Electronic files should be set up by calendar year and indexed by employee name.
2. Paper records must be stored in a secured cabinet with limited access. Files should be set up by calendar year and indexed by employee name.

Refer to the BPA Records Manual or call Records Management for more information.

- C. Employee Medical Files:** Records containing medical information, that is, specific information regarding medical conditions submitted in support of requests for advanced sick leave, leave under the Family Medical Leave Act, and long periods of leave for illness on an employee are subject to the Privacy Act and will be forwarded to the Medical Program Coordinator in Employee Relations for filing in the Employee Medical Folder.

## **V. REFERENCES**

- 5 U.S.C., Chapter 61, Hours of Work
- 5 U.S.C., Chapter 63, Leave
- 5 CFR, Part 610, Hours of Duty
- 5 CFR, Part 630, Absence and Leave
- PL 630-1 Chapters 2, Annual Leave
- PL 630-1 Chapters 3, Sick Leave
- PL 630-1, Chapter 8, Family and Medical Leave

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Exhibit 1A: Order of Presence for Leave Conversion

**ORDER OF PRECEDENCE FOR LEAVE CONVERSION**

<b>Type of Excess Leave</b>	<b>Order of Precedence for Leave Conversion</b>
<b>Sick Leave</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off-Travel</li> <li>2. Compensatory Time Off</li> <li>3. Credit Hours</li> <li>4. Restored Annual Leave</li> <li>5. Annual Leave</li> <li>6. Donated Leave</li> <li>7. Leave Without Pay</li> </ol>
<b>Annual Leave</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off-Travel</li> <li>2. Restored Annual Leave</li> <li>3. Compensatory Time Off</li> <li>4. Credit Hours</li> <li>5. Donated Leave</li> <li>6. Leave Without Pay</li> </ol>
<b>Compensatory Time Off</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off-Travel</li> <li>2. Credit Hours</li> <li>3. Restored Annual Leave</li> <li>4. Annual Leave</li> <li>5. Donated Leave</li> <li>6. Leave Without Pay</li> </ol>
<b>Compensatory Time Off-Travel</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off</li> <li>2. Credit Hours</li> <li>3. Restored Annual Leave</li> <li>4. Annual Leave</li> <li>5. Donated Leave</li> <li>6. Leave Without Pay</li> </ol>
<b>Military Leave (Regular)</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off-Travel</li> <li>2. Compensatory Time Off</li> <li>3. Credit Hours</li> <li>4. Restored Annual Leave</li> <li>5. Annual Leave</li> <li>6. Donated Leave</li> <li>7. Leave Without Pay</li> </ol>
<b>Military Leave (Law Enforcement)</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off-Travel</li> <li>2. Compensatory Time Off</li> <li>3. Credit Hours</li> <li>4. Restored Annual Leave</li> <li>5. Annual Leave</li> <li>6. Donated Leave</li> <li>7. Leave Without Pay</li> </ol>
<b>Restored Annual Leave</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off-Travel</li> <li>2. Compensatory Time Off</li> <li>3. Credit Hours</li> <li>4. Annual Leave</li> <li>5. Donated Leave</li> <li>6. Leave Without Pay</li> </ol>

<b>Type of Excess Leave</b>	<b>Order of Precedence for Leave Conversion</b>
<b>Credit Hours</b>	<ol style="list-style-type: none"> <li>1. Compensatory Time Off-Travel</li> <li>2. Compensatory Time Off</li> <li>3. Restored Annual Leave</li> <li>4. Annual Leave</li> <li>5. Donated Leave</li> <li>6. Leave Without Pay</li> </ol>
<b>Donated Leave</b>	<ol style="list-style-type: none"> <li>1. Leave Without Pay</li> </ol>
<b>Federal Employee Compensation Act</b>	<ol style="list-style-type: none"> <li>1. Leave Without Pay</li> </ol>