

# 5 Employee Benefits

## 510 Leave

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### 511 General

#### 511.1 Administration Policy

The U.S. Postal Service policy is to administer the leave program on an equitable basis for all employees, considering (a) the needs of the USPS and (b) the welfare of the individual employee.

#### 511.2 Responsibilities

##### 511.21 Postal Officials

Postal officials:

- a. Administer the leave program.
- b. Inform employees of their leave balance.
- c. Approve or disapprove requests for leave.
- d. Record leave in accordance with Handbook F-21, *Time and Attendance*, or Handbook F-22, *PSDS Time and Attendance*.
- e. Control unscheduled absences (see 511.4).

##### 511.22 Minneapolis Information Service Center

The Minneapolis Information Service Center (ISC):

- a. Maintains official leave records.
- b. Provides leave data to installation *when employees are being separated*.

##### 511.23 Postal Employees

Postal employees:

- a. Request leave by completing Form 3971, *Request for or Notification of Absence*.
- b. Obtain approval of Form 3971 before taking leave — except in cases of emergencies.
- c. Avoid unnecessary forfeiture of annual leave.

### 511.3 Eligibility

#### 511.31 Covered

Covered by the leave program are:

- a. Full-time career employees.
- b. Part-time regular career employees.
- c. Part-time flexible career employees.
- d. To the extent provided in the NRLCA Agreement, temporary employees assigned to rural carrier duties.

**Note:** Transitional employees are not covered by the leave program, but do earn leave as specified in their union's national agreement.

#### 511.32 Not Covered

Not covered by the leave program are:

- a. Postmaster relief/leave replacements, noncareer officers-in-charge, and other temporary employees except as in described in 511.31d above.
- b. Casual employees.
- c. Individuals who work on a fee or contract basis, such as job cleaners.

### 511.4 Unscheduled Absence

#### 511.41 Definition

*Unscheduled absences* are any absences from work that are not requested and approved in advance.

#### 511.42 Management Responsibilities

To control unscheduled absences, postal officials:

- a. Inform employees of leave regulations.
- b. Discuss attendance records with individual employees when warranted.
- c. Maintain and review Forms 3972, *Absence Analysis*, and Forms 3971.

#### 511.43 Employee Responsibilities

Employees are expected to maintain their assigned schedule and must make every effort to avoid unscheduled absences. In addition, employees must provide acceptable evidence for absences when required.

## 512 Annual Leave

### 512.1 General

#### 512.11 Purpose

Annual leave is provided to employees for rest, recreation, and for personal and emergency purposes.

512.12 **Definitions**512.121 **Leave Year**

The *leave year* begins with the first day of the first complete pay period in a calendar year. It ends on the day before the first day of the first complete pay period in the following calendar year.

512.122 **Accumulated Leave**

*Accumulated leave* is the total unused leave which remains to the credit of the employee at the beginning of any leave year.

512.123 **Current Leave**

*Current leave* is leave which an employee earns by biweekly pay periods during the current year.

512.124 **Accrued Leave**

*Accrued leave* is leave which is earned but is unused by an employee during any period during the current leave year.

512.2 **Determining Annual Leave Category**512.21 **Federal Civilian Service**512.211 **General Policy**

Both active military and civilian service are used in computing the years of service which determine an employee's annual leave category.

**Notes:**

- a. Leave credit is not allowed for both civilian and military service which cover the same period of time.
- b. Leave credit is allowed for an employee's entire period of absence for active military service — even though the employee is carried on postal rolls in a furlough or LWOP status.

512.212 **Service Counted**

The following federal civilian service is used in determining the annual leave category.

- a. Service performed while a career employee of the U.S. Postal Service or Post Office Department. Also, if performed before January 1, 1977, time on the rolls as a casual or temporary employee, or between July 21, 1947 and January 1, 1977, time actually worked as a postmaster relief/leave replacement.
- b. Time on USPS rolls during which an employee served as a substitute rural carrier (not just the dates on which actual service was performed) if the time is creditable for the federal retirement program applicable to the employee.
- c. Service with the federal government, Gallaudet University, or the District of Columbia, regardless of breaks in service as follows:
  - (1) Career, career conditional, and excepted appointment service, and temporary appointment service performed prior to January 1, 1977, subject to the following:

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- (a) Seasonal, on-call, or intermittent employment, even though it may be an “indefinite career appointment,” is credited “when actually employed” (WAE). For such appointments, no credit for leave is given for LWOP periods.
  - (b) VISTA service after October 1, 1973, Peace Corps, and similar volunteer service is not creditable.
  - (c) Tennessee Valley Authority service is not creditable.
  - (d) Time limited or temporary service performed on or after January 1, 1977 is not creditable.
  - (e) Army and Air Force Exchange Services (AAFES), Navy and Coast Guard Exchanges, Army and Air Force Motion Picture Service, and other organizations under the jurisdiction of the armed forces conducted for the comfort, pleasure, contentment, and mental and physical improvement of armed forces personnel is not creditable.
- (2) District of Columbia Government service is creditable only if
- (a) the person was employed by them prior to October 1, 1987 or, if service in an appointment by the D.C. Government to St. Elizabeth’s Hospital, on October 1, 1977, and
  - (b) the service is creditable for Civil Service Retirement System (CSRS) purposes.

#### 512.22 **Military Service**

##### 512.221 **General Policy**

See 512.211.

##### 512.222 **Service Counted**

The following military service is used in determining an employee’s annual leave category:

- a. Periods of active service terminated by honorable discharge or transfer to inactive reserves under honorable conditions. Active service may be in the Army, Air Force, Navy, Marine Corps, and Coast Guard.
- b. Service performed by employees who are members of the National Guard Service or Air National Guard Service only during periods of active duty with the U.S. Army or U.S. Air Force.
- c. Service performed by Naval Reserve Officers Training Corps students during periods of active duty or training duty as members of the Naval or Marine Corps Reserve.

Veterans Affairs (VA) disability payments for service-connected injuries or illnesses are not retirement annuities. Unless the person receives retirement annuities, 512.222 applies.

##### 512.223 **Retired Military Personnel**

- a. *Full Credit.* Full leave accrual credit for all of active military service is granted if a military retiree meets one of the following three conditions:
  - (1) Retirement was based on disability resulting from injury or disease received in the line of duty as a direct result of armed conflict.

- (2) Retirement was based on disability caused by an instrumentality of war and incurred in the line of duty during a period of war defined in *United States Code* (U.S.C.), Title 38, sections 101 and 301.
- (3) On November 30, 1964, the employee was employed in a civilian office to which the *Annual and Sick Leave Act* applied and continues to be employed in a civilian capacity without a break in civilian service of more than 30 days.

**Notes:**

- (a) A military retiree, who as a military reservist or member of the National Guard was called from civilian employment to active military duty before November 30, 1964, and after that date was restored to a civilian position (under U.S.C., Title 5, section 3551), does not meet this condition.
  - (b) Section 3551 provides only for restoration; therefore, the employee is not considered as having been on military furlough or leave of absence from a civilian position or as having been employed on November 30, 1964 in a civilian position to which section 6303(a), the former *Annual and Sick Leave Act*, applied.
- b. *Partial Credit.* Military retirees who do not qualify for full leave accrual credit can qualify for partial credit based on the following:
- (1) Service for determining an employee's leave category is restricted to the actual length of time in active service in the armed forces during any war or in any nonwartime campaign/expedition for which a campaign badge was authorized.
  - (2) Service in a nonwartime campaign/expedition does *not* entitle the military retiree to credit for the duration of the campaign/expedition but only for the period of service in the campaign or expedition.
- Note:** Exhibit 512.223a provides data about wars and campaigns and expeditions for which campaign badges were authorized.
- c. *Verification.* Military service should be verified:
- (1) *Disability Retirements.* Request verification from the records center of the appropriate military branch.
  - (2) *Wartime Service.* Verify from discharge certificates (e.g., DD Form 214).
  - (3) *Military Records Center.* Addresses and other data necessary to verify service are included in Exhibit 512.223b.
  - (4) *Campaign/Expeditionary Service.* Verify by sending a completed SF 813, *Verification of a Military Retiree's Service in Nonwartime Campaigns or Expeditions*, to the appropriate military records center. See Exhibit 512.223c for an illustration of SF 813. This form is not stocked in the material distribution center; it is to be reproduced locally.

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Exhibit 512.223a (p. 1)

**Wars, Campaigns, and Expeditions of the Armed Forces Since 1937**a. Wars <sup>1</sup>

War	Inclusive Dates	Organizations Participating (indicated by "X" below)				
		Army	Navy	Air Force <sup>2</sup>	Marine Corps	Coast Guard
World War I	Apr. 6, 1917 to July 2, 1921 <sup>3</sup>	X	X	—	X	X
World War II	Dec. 7, 1941 to Apr. 28, 1952 <sup>4</sup>	X	X	X	X	X

## b. Nonwar Campaigns and Expeditions Since 1937 for Which a Campaign or Expeditionary Medal Has Been Awarded.

Campaign or Expedition	Inclusive Dates	Organizations Participating (indicated by "X" below)				
		Army	Navy	Air Force <sup>2</sup>	Marine Corps	Coast Guard
China Service	July 7, 1937 to Sept. 7, 1939	—	X	—	X	—
American Defense Service	Sept. 8, 1939 to Dec. 7, 1941	X	X	—	X	X
Navy Occupation of Trieste	May 9, 1945 to Oct. 26, 1954	—	X	—	—	X
Army of Occupation of Berlin	May 9, 1945 to Oct. 2, 1990	X	X	X	X	X
Army of Occupation of Germany (exclusive of Berlin)	May 9, 1945 to May 5, 1955	X	X	X	—	X
Army of Occupation of Japan	Sept. 3, 1945 to Apr. 27, 1952	X	X	X	X	X
Army Occupation of Austria	May 9, 1945 to July 27, 1955	X	—	X	—	—
Navy Occupation of Austria	May 9, 1945 to Oct. 25, 1955	—	X	—	X	—
Units of the Sixth Fleet (Navy)	May 9, 1945 to Oct. 25, 1955	—	X	—	—	—
China Service Medal (Extended)	Sept. 2, 1945 to Apr. 1, 1957	—	X	—	X	X
Korean Service	June 27, 1950 to July 27, 1954	X	X	X	X	X
Vietnam Service Medal (VSM)	July 3, 1965 to Mar. 28, 1973	X	X	X	X	X
Southwest Asia Service Medal <sup>5</sup>	Aug. 2, 1990 to Nov. 30, 1995	X	X	X	X	X
Armed Forces Expeditionary Medal (AFEM) for these operations:						
Berlin	Aug. 14, 1961 to June 1, 1963	X	X	X	X	X
Lebanon	July 1, 1958 to Nov. 1, 1958 and June 1, 1983 to Dec. 1, 1987	X	X	X	X	X
Quemoy and Matsu Islands	Aug. 23, 1958 to June 1, 1963	X	X	X	X	X
Taiwan Straits	Aug. 23, 1958 to Jan. 1, 1959	X	X	X	X	X
Cuba	Oct. 24, 1962 to June 1, 1963	X	X	X	X	X
Congo	July 14, 1960 to Sept. 1, 1962 and Nov. 23 to 27, 1964	X	X	X	X	X
Laos	Apr. 19, 1961 to Oct. 7, 1962	X	X	X	X	X
Dominican Republic	Apr. 28, 1965 to Sept. 21, 1966	X	X	X	X	X
Korea	Oct. 1, 1966 to June 30, 1974	X	X	X	X	X
Vietnam (includes Thailand)	July 1, 1958 to July 3, 1965	X	X	X	X	X
Cambodia	Mar. 29, 1973 to Aug. 15, 1973	X	X	X	X	X
Cambodia Evacuation (Operation Eagle Pull)	Apr. 11, 1975 to Apr. 13, 1975	X	X	X	X	X

Employee Benefits  
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Exhibit 512.223a (p. 2)

**Wars, Campaigns, and Expeditions of the Armed Forces Since 1937**

Campaign or Expedition	Inclusive Dates	Organizations Participating (indicated by "X" below)				
		Army	Navy	Air Force <sup>2</sup>	Marine Corps	Coast Guard
Vietnam Evacuation (Operation Frequent Wind)	Apr. 29, 1975 to Apr. 30, 1975	X	X	X	X	X
Mayaguez Operation	May 15, 1975	X	X	X	X	X
El Salvador	Jan. 1, 1981 to Feb. 1, 1992	X	X	X	X	X
Grenada (Operation Urgent Fury)	Oct. 23, 1983 to Nov. 21, 1983	X	X	X	X	X
Operations in the Libyan Area	Apr. 12 thru Apr. 17, 1986	X	X	X	X	X
Persian Gulf Operation	July 24, 1987 to Aug. 1, 1990	X	X	X	X	X
Panama (Operation Just Cause)	Dec. 20, 1989 to Jan. 31, 1990	X	X	X	X	X
Somalia (Operation Restore Hope)	Dec. 5, 1992 to Mar. 31, 1995	X	X	X	X	X
Haiti (Operation Uphold Democracy)	Sept. 16, 1994 to Mar. 31, 1995	X	X	X	X	X
Bosnia (Operation Joint Endeavor) (Operation Joint Guard)	Nov. 20, 1995 to Dec. 20, 1996 Dec. 20, 1996 to .....	X	X	X	X	X
Navy Expeditionary Medal and Marine Corps Expeditionary Medal for these operations:						
Cuba	Jan. 3, 1961 to Oct. 23, 1962	—	X	—	X	—
Iranian/Yemen/Indian Ocean Contingency	Dec. 6, 1978 thru Jan. 6, 1979	—	X	—	X	—
Indian Ocean Contingency	Nov. 21, 1979 to Oct. 20, 1981	—	X	—	X	—
Lebanon	Aug. 20, 1982 to May 31, 1983	—	X	—	X	—
Libyan Area	Jan. 20, 1986 to June 27, 1986	—	X	—	X	—
Persian Gulf	Feb. 1, 1987 to July 23, 1987	—	X	—	X	—
Liberia	Aug. 5, 1990 to Feb. 21, 1991	—	X	—	X	—
Panama	Apr. 1, 1980 to Dec. 19, 1986 and Feb. 1, 1990 to Jun. 13, 1990	—	X	—	X	—
Rwanda (Operation Distant Runner)	Apr. 7, 1994 to Apr. 18, 1994	—	X	—	X	—

<sup>1</sup> "Wars" include only those armed conflicts for which a declaration of war was issued by Congress. The Title 38, U.S.C., definition of "war," which is used in determining benefits administered by the Department of Veterans Affairs, includes the Vietnam Era and other armed conflicts. That Title 38 definition is *not* applicable for purposes of granting partial leave credit to military retirees.

<sup>2</sup> The United States Air Force became a separate branch of the Armed Forces of the United States on September 18, 1947.

<sup>3</sup> July 2, 1921 is the date of a Joint Resolution of the U.S. Congress that terminated the war with Germany and Austria-Hungary.

<sup>4</sup> The effective date of the Treaty of Peace with Japan that officially terminated World War II.

<sup>5</sup> DoD awarded the Southwest Asia Service (SWASM) to Armed Forces personnel who served in the Operation Desert Shield/Desert Storm theater.

512.223

Exhibit 512.223b (p. 1)  
Standard Form 180, Requests Pertaining to Military Records

REQUEST PERTAINING TO MILITARY RECORDS		Please read instructions on the reverse. If more space is needed, use plain paper.	
<p><b>PRIVACY ACT OF 1974 COMPLIANCE INFORMATION.</b> The following information is provided in accordance with 5 U.S.C. 552a(e)(3) and applies to this form. Authority for collection of the information is 44 U.S.C. 2907, 3101, and 3103, and E.O. 9397 of November 22, 1943. Disclosure of the information is voluntary. The principal purpose of the information is to assist the facility servicing the records in locating and verifying the correctness of the requested records or information to answer your inquiry. Routine uses of the information as established and published in accordance with 5 U.S.C.a(e)(4)(D) include the transfer of relevant information to appropriate Federal, State, local, or foreign agencies for use in civil, criminal, or regulatory investigations or prosecution. In addition, this form will be filed with the appropriate military records and may be transferred along with the record to another agency in accordance with the routine uses established by the agency which maintains the record. If the requested information is not provided, it may not be possible to service your inquiry.</p>			
SECTION I - INFORMATION NEEDED TO LOCATE RECORDS (Furnish as much as possible)			
1. NAME USED DURING SERVICE (Last, first, and middle)		2. SOCIAL SECURITY NO.	3. DATE OF BIRTH
4. PLACE OF BIRTH			
5. ACTIVE SERVICE, PAST AND PRESENT (For an effective records search, it is important that ALL service be shown below)			
BRANCH OF SERVICE (Also, show last organization, if known)	DATES OF ACTIVE SERVICE		Check one
	DATE ENTERED	DATE RELEASED	OFFL- EN- CER LISTED
			SERVICE NUMBER DURING THIS PERIOD
6. RESERVE SERVICE, PAST OR PRESENT <i>If "none," check here</i> <input type="checkbox"/>			
a. BRANCH OF SERVICE	b. DATES OF MEMBERSHIP		c. Check one
	FROM	TO	OFFL- EN- CER LISTED
			d. SERVICE NUMBER DURING THIS PERIOD
7. NATIONAL GUARD MEMBERSHIP (Check one): <input type="checkbox"/> a. ARMY <input type="checkbox"/> b. AIR FORCE <input type="checkbox"/> c. NONE			
d. STATE	e. ORGANIZATION	f. DATES OF MEMBERSHIP	g. Check one
		FROM	TO
			OFFL- EN- CER LISTED
			h. SERVICE NUMBER DURING THIS PERIOD
8. IS SERVICE PERSON DECEASED <input type="checkbox"/> YES <input type="checkbox"/> NO <i>If "yes," enter date of death.</i>			9. IS (WAS) INDIVIDUAL A MILITARY RETIREE OR FLEET RESERVIST <input type="checkbox"/> YES <input type="checkbox"/> NO
SECTION II - REQUEST			
1. EXPLAIN WHAT INFORMATION OR DOCUMENTS YOU NEED; OR, CHECK ITEM 2; OR, COMPLETE ITEM 3			2. IF YOU ONLY NEED A STATEMENT OF SERVICE <i>check here</i> <input type="checkbox"/>
3. LOST SEPARATION DOCUMENT REPLACE- MENT REQUEST (Complete a or b, and c.)	<input type="checkbox"/> a. REPORT OF SEPARATION (DD Form 214 or equivalent)	YEAR ISSUED	This contains information normally needed to determine eligibility for benefits. It may be furnished only to the veteran, the surviving next of kin, or to a representative with veteran's signed release (Item 5 of this form).
	<input type="checkbox"/> b. DISCHARGE CERTIFICATE	YEAR ISSUED	
	c. EXPLAIN HOW SEPARATION DOCUMENT WAS LOST		
4. EXPLAIN PURPOSE FOR WHICH INFORMATION OR DOCUMENTS ARE NEEDED		6. REQUESTER	
		a. IDENTIFICATION (check appropriate box)	
		<input type="checkbox"/> Same person identified in Section I <input type="checkbox"/> Surviving spouse	
		<input type="checkbox"/> Next of kin (relationship) _____	
		<input type="checkbox"/> Other (specify) _____	
		b. SIGNATURE (see instruction 3 on reverse side)	DATE OF REQUEST
5. RELEASE AUTHORIZATION, IF REQUIRED (Read instruction 3 on reverse side)		7. Please type or print clearly - COMPLETE RETURN ADDRESS	
I hereby authorize release of the requested information/documents to the person indicated at right (item 7).		Name, number and street, city, State and ZIP code	
VETERAN SIGN HERE <input type="checkbox"/>		_____	
(If signed by other than veteran show relationship to veteran.)		_____	
		TELEPHONE NO. (include area code) <input type="checkbox"/>	
		_____	

Exhibit 512.223b (p. 2)  
Standard Form 180, Requests Pertaining to Military Records

**INSTRUCTIONS**

1. **Information needed to locate records.** Certain identifying information is necessary to determine the location of an individual's record of military service. Please give careful consideration to and answer each item on this form. If you do not have and cannot obtain the information for an item, show "NA," meaning the information is "not available." Include as much of the requested information as you can. This will help us to give you the best possible service.

2. **Charges for service.** A nominal fee is charged for certain types of service. In most instances service fees cannot be determined in advance. If your request involves a service fee you will be notified as soon as that determination is made.

3. **Restrictions on release of information.** Information from records of military personnel is released subject to restrictions imposed by the military departments consistent with the provisions of the Freedom of Information Act of 1967 (as amended in 1974) and the Privacy Act of 1974. A service person has access to almost any information contained in his own record. The next of kin, if the veteran is deceased, and Federal officers for official purposes, are authorized to receive information from a military service or medical record only as specified in the above cited Acts. Other requesters must have the release authorization, in item 5 of the form, signed by the veteran or, if deceased, by the next of kin. Employers

and others needing proof of military service are expected to accept the information shown on documents issued by the Armed Forces at the time a service person is separated.

4. **Location of military personnel records.** The various categories of military personnel records are described in the chart below. For each category there is a code number which indicates the address at the bottom of the page to which this request should be sent. For each military service there is a note explaining approximately how long the records are held by the military service before they are transferred to the National Personnel Records Center, St. Louis. Please read these notes carefully and make sure you send your inquiry to the right address. Please note especially that the record is not sent to the National Personnel Records Center as long as the person retains any sort of reserve obligation, whether drilling or non-drilling.

(If the person has two or more periods of service within the same branch, send your request to the office having the record for the last period of service.)

5. **Definitions for abbreviations used below:**  
NPRC—National Personnel Records Center PERS—Personnel Records  
TDRL—Temporary Disability Retirement List MED—Medical Records

SERVICE	NOTE: (See paragraph 4 above.)	CATEGORY OF RECORDS	WHERE TO WRITE ADDRESS CODE
<b>AIR FORCE (USAF)</b>	<i>Except for TDRL and general officers retired with pay, Air Force records are transferred to NPRC from Code 1, 90 days after separation and from Code 2, 180 days after separation.</i>	Active members (includes National Guard on active duty in the Air Force), TDRL, and general officers retired with pay.	<b>1</b>
		Reserve, retired reservist in nonpay status, current National Guard officers not on active duty in Air Force, and National Guard released from active duty in Air Force.	<b>2</b>
		Current National Guard enlisted not on active duty in Air Force.	<b>13</b>
		Discharged, deceased, and retired with pay.	<b>14</b>
<b>COAST GUARD (USCG)</b>	<i>Coast Guard officer and enlisted records are transferred to NPRC 7 months after separation.</i>	Active, reserve, and TDRL members.	<b>3</b>
		Discharged, deceased, and retired members (see next item).	<b>14</b>
		Officers separated before 1/1/29 and enlisted personnel separated before 1/1/15.	<b>6</b>
<b>MARINE CORPS (USMC)</b>	<i>Marine Corps records are transferred to NPRC between 6 and 9 months after separation.</i>	Active, TDRL, and Selected Marine Corps Reserve members.	<b>4</b>
		Individual Ready Reserve and Fleet Marine Corps Reserve members.	<b>5</b>
		Discharged, deceased, and retired members (see next item).	<b>14</b>
		Members separated before 1/1/1905.	<b>6</b>
<b>ARMY (USA)</b>	<i>Army records are transferred to NPRC as follows: Active Army and Individual Ready Reserve Control Groups: About 60 days after separation. U.S. Army Reserve Troop Unit personnel: About 120 to 180 days after separation.</i>	Reserve, living retired members, retired general officers, and active duty records of current National Guard members who performed service in the U.S. Army before 7/1/72.	<b>7</b>
		Active officers (including National Guard on active duty in the U.S. Army).	<b>8</b>
		Active enlisted (including National Guard on active duty in the U.S. Army) and enlisted TDRL.	<b>9</b>
		Current National Guard officers not on active duty in the U.S. Army.	<b>12</b>
		Current National Guard enlisted not on active duty in the U.S. Army.	<b>13</b>
		Discharged and deceased members (see next item).	<b>14</b>
		Officers separated before 7/1/17 and enlisted separated before 11/1/12.	<b>6</b>
		Officers and warrant officers TDRL.	<b>8</b>
<b>NAVY (USN)</b>	<i>Navy records are transferred to NPRC 6 months after retirement or complete separation.</i>	Active members (including reservists on duty)—PERS and MED	<b>10</b>
		Discharged, deceased, retired (with and without pay) less than six months, TDRL, drilling and nondrilling reservists	PERS ONLY <b>10</b> MED ONLY <b>11</b>
		Discharged, deceased, retired (with and without pay) more than six months (see next item)—PERS & MED	<b>14</b>
		Officers separated before 1/1/03 and enlisted separated before 1/1/1886—PERS and MED	<b>6</b>

\*Code 12 applies to active duty records of current National Guard officers who performed service in the U.S. Army after 6/30/72.

Code 13 applies to active duty records of current National Guard enlisted members who performed service in the U.S. Army after 6/30/72.

**ADDRESS LIST OF CUSTODIANS (BY CODE NUMBERS SHOWN ABOVE)—Where to write / send this form for each category of records**

<b>1</b>	Air Force Manpower and Personnel Center Military Personnel Records Division Randolph AFB, TX 78150-6001	<b>5</b>	Marine Corps Reserve Support Center 10950 El Monte Overland Park, KS 66211-1408	<b>8</b>	USA MILPERCEN ATTN: DAPC-MSR 200 Stovall Street Alexandria, VA 22332-0400	<b>12</b>	Army National Guard Personnel Center Columbia Pike Office Building 5600 Columbia Pike Falls Church, VA 22041
<b>2</b>	Air Reserve Personnel Center Denver, CO 80280-5000	<b>6</b>	Military Archives Division National Archives and Records Administration Washington, DC 20408	<b>9</b>	Commander U.S. Army Enlisted Records and Evaluation Center Ft. Benjamin Harrison, IN 46249-5301	<b>13</b>	The Adjutant General (of the appropriate State, DC, or Puerto Rico)
<b>3</b>	Commandant U.S. Coast Guard Washington, DC 20593-0001	<b>7</b>	Commander U.S. Army Reserve Personnel Center ATTN: DARIPAS 9700 Page Boulevard St. Louis, MO 63132-5200	<b>10</b>	Commander Naval Military Personnel Command ATTN: NMPC-038 Washington, DC 20370-5036	<b>14</b>	National Personnel Records Center (Military Personnel Records) 9700 Page Boulevard St. Louis, MO 63132
<b>4</b>	Commandant of the Marine Corps (Code MMRB-10) Headquarters U.S. Marine Corps Washington, DC 20380-0001			<b>11</b>	Naval Reserve Personnel Center New Orleans, LA 70146-5000		



Exhibit 512.223c (p. 2)

**Instructions for Completing Standard Form 813****Instructions for Completing SF 813**

**NOTE: DO NOT USE THIS FORM FOR PERSONS WHO  
ARE NOT MILITARY RETIREES**

Use SF 813 only to request verification of a retiree's military service performed in a nonwartime campaign or expedition for which badge/medal was authorized, in order to credit such service for leave accrual rate and reduction-in-force purposes. Complete the address block and items 1 through 9 and submit the form in duplicate to the appropriate address listed below.

- A. To verify campaign/expeditionary service for military retirees of the U.S. Air Force, U.S. Navy, U.S. Marine Corps, and U.S. Coast Guard, address the request to:

National Personnel Records Center  
(Military Personnel Records)  
9700 Page Boulevard  
St. Louis, MO 63132-1547

- B. To verify campaign/expeditionary service for military retirees of the U.S. Army, address the request to:

U.S. Army Reserve Components  
Personnel and Administration Center  
ATTN: DARP-VSE-VC  
9700 Page Boulevard  
St. Louis, MO 63132-5000

The records center will verify only claimed and unverified nonwartime campaign or expeditionary service. It is the retired member's responsibility to provide the names of any nonwartime campaign or expedition in which served. The records center will not verify service unless specific campaigns/expeditions and inclusive dates are listed. Service components (e.g., "USAF") or medal (e.g., "Vietnam Service Medal") are not sufficient.

If a follow-up check is necessary, reproduce a copy of the original request and clearly mark the top of the SF 813, "*Follow-up Request*".

512.3

512.3 **Accrual and Crediting**512.31 **Employee Categories**512.311 **Full-Time Employees**

- a. *Accrual Chart.* Full-time career employees earn annual leave based on their number of creditable years of service:

Leave Category	Creditable Service	Maximum Leave Per Year
4	Less than 3 years	4 hours for each full biweekly pay period; i.e. 104 hours (13 days) per 26-period leave year.
6	3 years but less than 15 years	6 hours for each full biweekly pay period plus 4 hours in last pay period in leave year; i.e. 160 hours (20 days) per 26-period leave year.
8	15 years or more.	8 hours for each full biweekly pay period; i.e., 208 hours (26 days) per 26-period leave year.

- b. *Credit at Beginning of Leave Year.* Full-time career employees are credited at the beginning of the leave year with the total number of annual leave hours that they will earn for that leave year.
- c. *Changes in Employee's Accrual Rate.* Leave credit at the beginning of the leave year reflects any change in an employee's accrual rate for that year.
- d. *Change from Part-Time to Full-Time.* An employee who changes from a part-time to a full-time employee after the start of a leave year is credited with the annual leave to be earned for the remainder of the leave year.
- e. *Nonpay Status.* Leave credit for periods in which an employee is in a nonpay status is reduced during the leave year as follows:
- (1) When an employee's absence in a nonpay status totals the equivalent of one pay period of regular service during the leave year (10 days or 80 hours), credit for leave is reduced by the amount of leave earned by the employee in a pay period.

**Notes:**

- (a) For rural carriers who are required to work 6 days a week, the equivalent of one pay period is 12 days or 96 hours.
  - (b) For J route carriers, the equivalent of one pay period is 11 days or 88 hours.
- (2) When an employee has one or more breaks in service during the leave year, all hours in a nonpay status (during periods in which the employee earned annual leave) are totaled to reduce leave credits.

512.312 **Part-Time Employees**

- a. *Accrual and Crediting Chart.* Part-time career employees earn annual leave based on the number of hours in which they are in pay status. See Exhibit 512.312.
- b. *Biweekly Crediting.* Leave accrues and is credited in whole hours at the end of each biweekly pay period. All hours in pay status which cannot be credited for leave purposes (512.312a) are dropped when:
  - (1) The leave year ends.
  - (2) The employee's status is changed from part-time to full-time.
  - (3) The employee is removed from the rolls for any cause.
- c. *Exceptions.* The following are exceptions to the crediting rule in 512.312b.
  - (1) Part-time regular schedule employees including A–E postmasters are credited with annual leave on a pro rata basis, according to their authorized daily schedules. Employees with 1 year or more of career service may be credited at the beginning of the leave year with the annual leave which they will earn during the leave year. A–E postmasters are credited at the beginning of the leave year with the annual leave which they earn during the leave year. Part-time regular employees are entitled to additional leave hours, based on their leave category, for each 20, 13, or 10 hours of work in excess of the schedule. See Exhibit 512.312.
  - (2) Auxiliary rural carriers (Designation 77), including substitute rural carriers in dual appointments, are credited with annual leave for actual service performed. If auxiliary rural carriers are otherwise employed (e.g., clerks in the post office), such additional service is also used in the computation of leave credit; otherwise, they are credited as instructed in 512.312a.

Exhibit 512.312

**Accrual and Crediting Chart for Part-Time Career Employees**

Leave Category	Years of Creditable Service	Maximum Leave per Year	Rate of Accrual	Hours in Pay Status	Hours of Leave Earned per Period
4	Less than 3 years.	104 hours, or 13 days per 26-period leave year or 4 hours for each biweekly pay period.	1 hour for each unit of 20 hours pay in status.	20	1
				40	2
				60	3
				80	4 (max.)
6	3 years but less than 15 years.	160 hours, or 20 days per 26-period leave year or 6 hours for each full biweekly pay period, plus 4 hours in last pay period in leave year. <sup>1</sup>	1 hour for each unit of 13 hours in pay status.	13	1
				26	2
				39	3
				52	4
				65	5
78	6 (max.)				
8	15 years or more.	208 hours, or 26 days per 26-period leave year or 8 hours for each full biweekly pay period.	1 hour for each unit of 10 hours in pay status.	10	1
				20	2
				30	3
				40	4
				50	5
				60	6
				70	7
80	8 (max.)				

<sup>1</sup> Except that the accrual for the last pay period of the calendar year may be 10 hours, provided the employee has the 130 creditable hours or more in a pay status in the leave year for leave purposes.

**Recording Hours for Annual and Sick Leave**

- Units of hours in a pay status are converted into annual leave credits at the rate of 1 hour for each unit of 20, 13, or 10 hours in a pay status — up to a maximum of 4, 6, or 8 hours per biweekly pay period, depending on the employee's leave category.
- Hours in a pay status in excess of these whole units are accumulated and carried forward as excess workhours. These excess (uncredited) workhours are added to hours in a pay status in the next period.
- Whole units of creditable hours (20, 13, or 10) are then converted into leave hours at the unit rate — provided no more leave is credited to a part-time employee than could be earned in the same leave year by a full-time employee.
- The maximum credit allowable for a particular leave category is calculated by multiplying the period number by the number of leave hours allowable per period.

**512.313 Appointees**

- Rate of Leave Accrual.** The rate of leave accrual for a new career employee (whether appointed, reinstated, or transferred) *will be promptly determined*. It is based on creditable service, both civilian and military (see 512.2).
- Ninety-Day Qualifying Period**
  - Requirement.** New employees are not credited with and may not take annual leave until they complete 90 days of continuous employment under one or more appointments without a break in service.

**Exception:** This requirement does not apply to career (or career conditional) employees who have had a minimum of 90 days of continuous federal service prior to transferring, without a break in

- service, to a Postal Service career position. (See 512.812, 512.911, and 512.912a.)
- (2) *Break in Service.* A break in service of 1 or more workdays breaks the continuity of employment. Any further employment requires beginning a new 90-day period. (For substitute rural carriers, see 512.552.)
  - (3) *Active Military Service.* Active military service for an employee *not entitled to mandatory restoration* is a break in civilian service. The employee begins a new 90-day qualifying period for leave purposes.
  - (4) *Full-Time Employees and A–E Postmasters.* After new employees complete the 90-day qualifying period, they *are* credited with annual leave to be earned during the remainder of the leave year plus the leave earned during the qualifying period.
  - (5) *Part-Time Employees Except A–E Postmasters.* After part-time employees complete the 90-day qualifying period, annual leave which they have accrued is credited to their accounts.
- c. *Partial Pay Period*
- (1) Any employee whose appointment is made effective after the first Monday of a pay period does not receive leave credit for service performed during that pay period. Part-time employees appointed in this manner do not have their service hours brought forward for leave purposes for that pay period.
  - (2) An employee transferring from an agency having different pay periods may be given credit for the partial period.

### 512.32 **Maximum Carryover**

#### 512.321 **Maximum Carryover Amounts**

The maximum carryover amount, i.e., the maximum amount of previously accumulated annual leave with which an employee may be credited at the beginning of a year, is as follows:

- a. *Bargaining Unit Employees.* The maximum leave carryover for bargaining unit employees is 55 days (440 hours).
- b. *Postal Career Executive Service (PCES) Employees.* The maximum carryover amount for these employees is the greater of 560 hours or 16 days (128 hours) over their prior year end balance.
- c. *EAS Employees.* The maximum carryover amount for EAS employees is 70 days (560 hours).
- d. *Employees Affected by Public Law 102.* For employees who, on January 1, 1953 (prior to the passage of Public Law 102), (1) had more accumulated leave to their credit than the amounts provided above, and (2) who have maintained balances in excess of those amounts, the maximum carryover amounts is the balances they have maintained.

#### 512.322 **Nonbargaining to Bargaining**

When a nonbargaining unit employee is permanently assigned to a bargaining unit position, the employee's annual leave carryover ceiling is

reduced to the carryover ceiling for that bargaining unit. The employee is permitted to use the excess annual leave over the bargaining unit ceiling during the leave year in which the permanent assignment is effective.

#### 512.4 **Authorizing Annual Leave**

##### 512.41 **Application**

##### 512.411 **General**

Except for emergencies, annual leave for all employees except postmasters must be requested on Form 3971 and approved in advance by the appropriate supervisor. Leave requests from rural carriers must be approved in accordance with Article 10 of the USPS-NRLCA National Agreement.

##### 512.412 **Emergencies**

An exception to the advance approval requirement is made for emergencies; however, in these situations, the employee must notify appropriate postal authorities as soon as possible as to the emergency and the expected duration of the absence. As soon as possible after return to duty, employees must submit Form 3971 and explain the reason for the emergency to their supervisor. Supervisors approve or disapprove the leave request. When the request is disapproved, the absence may be recorded as LWOP or AWOL at the discretion of the supervisor as outlined in 512.422.

##### 512.42 **Form 3971, Request for, or Notification of, Absence**

##### 512.421 **Purpose**

Application for annual leave is made in writing, in duplicate, on Form 3971, *Request for, or Notification of, Absence*.

##### 512.422 **Approval/Disapproval**

The supervisor is responsible for approving or disapproving application for annual leave by signing Form 3971, a copy of which is given to the employee. If a supervisor does not approve an application for leave, the disapproved block on Form 3971 is checked and the reasons given in writing in the space provided. When a request is disapproved, the granting of any alternate type of leave, if any, must be noted along with the reasons for disapproval. AWOL determinations must be similarly noted.

##### 512.423 **Retention and Disposal Period**

Forms 3971 are retained by the installation head for 2 years from the date the leave is taken or disapproved and are then destroyed. (Documents that become a part of a disciplinary file or administrative proceeding will be disposed of with that file.)

##### 512.43 **Insufficient Leave Balance**

If the leave is approved and the employee has an insufficient leave balance, it is changed to LWOP when the employee's pay is processed.

512.5 **Leave Charge Information**512.51 **Full-Time Employees**512.511 **Minimum Unit Charge**

<b>Employee Category</b>	<b>Minimum Unit Charge</b>
a. All full-time nonexempt employees.	Hundredth of an hour (.01 hour).
b. Full-time exempt.	(See 519.71.)
c. Rural carriers.	1 day (8 hours).
d. Substitute rural carriers.	1 day (8 hours). (1) serving a vacant route or (2) serving in absence of rural carriers on extended leave.
e. Triweekly rural carriers.	(See 512.54.)

512.512 **Holidays**

Leave cannot be charged for national legal holidays, days designated as holidays, or absences authorized by administrative order.

512.513 **Leave for Postmasters and Installation Heads**

These employees must (a) promptly report emergency or planned absences exceeding 5 working days to their postal managers and (b) maintain accurate records of their leave.

512.514 **Rural Carriers (Regular and Substitute)**

See 512.53 and 512.55.

512.52 **Part-Time Employees**

<b>Employee Category</b>	<b>Minimum Unit Charge</b>
All part-time nonexempt employees.	One hundredth of an hour (.01 hour).
Part-time exempt employees.	(See 519.71.)

512.521 **Part-Time Regular**

A part-time employee who is granted annual leave and performs service on the same duty is not allowed to work more hours than would total 8 hours when combined with leave hours.

512.522 **Part-Time Flexible**

- a. A part-time flexible employee who has been credited with 40 hours or more of paid service (work, leave, or a combination of work and leave) in a service week is not granted paid annual or sick leave during the remainder of that service week. Absences in such cases are treated as nonduty time, not chargeable to paid leave of any kind. Supervisors should avoid granting leave resulting in the requirement for overtime pay.
- b. Part-time flexible employees who request leave on days that they are scheduled to work, except legal holidays, may be granted leave

provided they can be spared. Leave which is charged to these employees cannot exceed 8 hours on any 1 day. The installation head may also consider a request for annual leave on any day a part-time flexible is not scheduled to work. The 40 hours paid service in a service week specified in 512.523a may not be exceeded.

512.523 **A–E Postmasters**

- a. **Maximum Leave.** Annual leave may not exceed the scheduled service hours for the day on which the leave is taken.
- b. **Saturday Absences.** A–E postmasters work a 6-day week. When Monday through Friday is charged as paid leave, either the previous or following Saturday may be taken without being charged against the employee's leave balance.

512.53 **Rural Carriers**

512.531 **General**

Annual leave is granted to a rural carrier in accordance with 512.311 and the terms of the applicable collective-bargaining agreement. It is granted in minimum units of 1 day provided a replacement is available.

512.532 **Saturday Absences**

Rules for approved absences of rural carriers or substitute rural carriers are subject to the specific conditions of the USPS-NRLCA National Agreement. Accordingly:

- a. **Absence on Saturday** which occurs within or, at the beginning or end of a period of annual leave or sick leave, is not charged to such leave, nor is there loss of compensation provided:
  - (1) There are 5 or more days of annual or sick leave within the period; or
  - (2) There are 4 or more days of annual or sick leave plus a holiday. If the holiday falls on a Saturday which is a scheduled workday, absence on the preceding Friday is not charged to leave. If the leave period is for less than 4 days, absence on Friday is charged to leave; or
- b. **Interruption during the approved period** of annual or sick leave by 1 day of court leave due to circumstances beyond the carrier's control does not disqualify the carrier for coverage as provided above; or
- c. **Upon request**, a rural carrier is granted annual leave or LWOP on Saturday, at the carrier's option — provided a substitute rural carrier is available for replacement.

512.54 **Triweekly Rural Carriers**

512.541 **Week's Absence**

Carriers who are absent for a week on sick or annual leave are charged with 5 days' leave.

512.542 **Absences Less Than a Week**

Carriers who are absent for less than a week at a time are charged with 2 days' leave for each workday of absence.

**512.543 Leave Carry-Over**

The carrier may end the year with 1 day of unused annual leave. This day may be carried forward into another leave year provided the total carried forward does not exceed 55 days, except as provided in 512.321.

**512.55 Substitute Rural Carriers****512.551 General**

A substitute rural carrier serves either as a leave replacement for a regular rural carrier or serves a vacant rural route.

**Notes:**

- a. Leave replacements do not earn annual or sick leave.
- b. A substitute (1) serving a vacant route or (2) serving in the absence of rural carriers who are on extended leave earns annual and sick leave. Annual leave is granted in accordance with 512.311 and the terms of the applicable collective-bargaining agreement. It is granted in minimum units of 1 day, provided a replacement is available.

**512.552 Ninety-Day Qualifying Period**

The 90-day qualifying period, which is explained in 512.313b, applies to substitute carriers or rural carrier associates serving vacant routes or when serving the route during the extended absence of the regular carrier in excess of 90 days. A break in service of 1 or more workdays breaks continuity of employment, and the substitute carrier or rural carrier associate must begin a new 90-day qualifying period. Normally a break in service will occur only when the regular carrier returns, or the vacant route is filled by the appointment of a new regular rural carrier. A break in service does not mean absence from the route on a nonscheduled workday or absence in approved leave status, including LWOP. On day 91 of service, the substitute carrier or rural carrier associate is credited with accrued annual leave. (In determining the employee's leave category, credit is also given for prior service as a substitute rural carrier (see 512.212c).

**512.553 Lump-Sum Payment**

When regular rural carriers return to duty, substitutes are given lump-sum payments for the annual leave to their credit if they have been in a leave-earning capacity. The lump-sum payment is not made if the substitute is placed on another vacant route and continues to earn leave.

**512.554 Procedures for Placing Leave-Earning Status**

To officially place an eligible substitute rural carrier in leave-earning status, the following procedures apply:

- a. Postmasters at offices with revenue units of 190 and above prepare Form 50, *Notification of Personnel Action*, when the substitute carrier has completed 90 days of continuous service. Postmasters in offices with revenue units of 189 and below notify the post office operations manager by memorandum so that Form 50 may be prepared.
- b. Form 50 prepared by postmasters in offices with revenue units of 190 and above, or memorandums submitted to the post office operations manager by offices with revenue units below 189 identify: (1) the route

512.6

that the substitute rural carrier is serving; (2) the substitute by name; (3) the date that the regular rural carrier entered on LWOP; and (4) the date that the substitute began serving the route.

- c. The nature of action code on Form 50 is 907, *Change to Leave-earning Status*. Pertinent information appears in Item 88, Remarks. The date of eligibility is the ninety-first day following the beginning of the regular rural carrier's LWOP.
- d. When the regular rural carrier returns to duty, the postmaster prepares Form 50 or forwards a memorandum to the post office operations manager identifying (1) the name of the substitute rural carrier and (2) the date that eligibility ceases which is the day before the regular carrier returns to duty. The nature of action code is 908, *Change from Leave-earning Status*. Pertinent information is placed in Item 88 of the form.

## 512.6 **Vacation Planning**

### 512.61 **Bargaining Unit Employees**

For these employees, leave is subject to specific vacation planning provisions of applicable collective-bargaining agreements. Note also:

- a. For all regular employees, both full-time and part-time, vacation leave is granted when requested — to the extent practicable.
- b. For part-time flexible employees, vacation planning is limited to accumulated and accrued leave.

### 512.62 **Nonbargaining Unit Employees**

Vacation leave is granted to these employees when their services can best be spared. Postmasters and other responsible officials must schedule leave so that (a) employees do not forfeit leave and (b) postal operations are not impaired.

## 512.7 **Separation Adjustments**

### 512.71 **Terminal Leave Worksheet**

If an employee is not transferring and is separating from the USPS, the Minneapolis ISC furnishes the separating installation with Form 2246, *Terminal Leave Worksheet*, for filing in the employee's official personnel folder. (For transfers, see 512.8.)

### 512.72 **Collection for Unearned Leave**

#### 512.721 **Refund**

Separating employees who are indebted for unearned annual leave or sick leave must refund the amount paid to them for such unearned leave. If employees do not make refunds, deductions are made from any funds which are due them.

512.722 **Exception**

Collection is not required in cases of death, or in the case of separation due to a disability which prevents an employee from returning to duty or continuing in the USPS.

512.73 **Payment for Accumulated Leave**

A separating employee may receive a lump-sum payment for accumulated annual leave — subject to the following conditions:

- a. *Before Qualifying Period.* Except for those employees identified under 512.812, an employee who separates before completing the 90-day qualifying period forfeits terminal leave payment for accumulated leave.
- b. *On or After Qualifying Period.* An employee who completes the 90-day qualifying period, even if separated at the close of business on day 90, is entitled to terminal leave payment for leave accumulated.
- c. *Before Last Friday of Pay Period.* An employee whose separation is effective before the last Friday of a pay period does not receive leave credit or terminal leave payment for the leave that would have accrued during that pay period.
- d. *Bargaining Unit Employee.* A bargaining unit employee is not paid for annual leave in excess of the annual leave carryover maximum for his or her bargaining unit (see 512.32). Any part of the unused annual leave earned during the current leave year which is in excess of the lump-sum limitation is granted prior to separation. In the case of death, a lump-sum payment is made for:
  - (1) Accumulated annual leave.
  - (2) Unused annual (current) leave earned during the year of the death which the employee could have taken had the employee lived to the end of the leave year. No payment is made for unused leave which the employee would have been required to forfeit at the end of the leave year.
- e. *Nonbargaining Unit Employee.* Nonbargaining unit employees are entitled to receive a lump-sum leave payment for accumulated annual leave equal to their authorized maximum carryover plus any unused accrued annual leave which was earned in the year of separation.
- f. *For Military Service.* Employees who separate to enter active U.S. military duty may choose to receive a lump-sum leave payment or to have accrued annual leave held for credit until they return to USPS duty.
- g. *Followed by Reemployment.* An employee who received a lump-sum leave payment on separation from a postal position (or a federal position under the same leave system) and who is reemployed/reinstated *before the period covered by the payment expires* must refund in full the payment for the overlapping period. The employee may then be recredited (see 512.9) with leave.
- h. *Lump-Sum Payment.* Lump-sum payment for annual leave at the time of retirement does not affect the amount or commencement date of annuity payments.

**512.8 Transfers****512.81 Transfer Without a Break in Service****512.811 From the Postal Service to a Federal Agency**

The Minneapolis ISC furnishes the agency gaining the employee with SF 1150, *Record of Leave Data*. (A copy of SF 1150 is *not* sent to the losing installation.) When necessary, the Postal Service collects for used but unearned leave (see 512.721). When the receiving agency is unable to transfer a leave balance in excess of its leave carryover limit, the employee receives a lump sum payment for earned annual leave that cannot be transferred. The lump sum is calculated by multiplying the person's postal hourly rate times the number of earned annual leave hours that cannot be transferred.

**512.812 From a Federal Agency to the Postal Service**

Leave credit must be transferred to the employee's leave account. However, leave that may be transferred is limited to the leave carryover limit applicable to the Postal Service position to be filled. The employee should not have to take LWOP because of delay in transferring leave:

- a. If the SF 1150 does not reach the Minneapolis ISC before the employee has to take leave, the Minneapolis ISC may telephone or telegram the losing agency to request the employee's leave balance.
- b. If LWOP cannot be avoided, the record can be adjusted when the SF 1150 is received to show paid leave — unless the employee requests that the LWOP remain unchanged.

**512.82 Transfer With a Break in Service**

An employee who moves from the USPS to another federal agency after a break in service is separated (see 512.7) and later reemployed. (See 512.9.) Any accumulated leave is not transferred, but is paid for in a lump-sum.

**512.9 Recrediting Annual Leave****512.91 Policy**

512.911 Annual leave which may be recredited consists of leave earned under any of the leave systems merged under the Annual and Sick Leave Act of 1951. However, annual leave which is already forfeited cannot be recredited.

512.912 Annual leave is recredited under the Act for:

- a. Employees who are reemployed before the period covered by the lump-sum payment expires.
- b. Employees who transferred to a position which is not under an annual leave system and transferred back to the USPS without a break in USPS service of more than 52 continuous calendar weeks.
- c. Employees who return to pay and duty status following a period of suspension, or involuntary separation (i.e., cases of retroactive reversals of disciplinary action).

512.92 **Procedures**512.921 **Leave Earned in Prior USPS Service**

See 512.73g.

512.922 **Leave Earned at Another Agency**

When an employee makes application for recredit of leave earned in another agency, the Postal Service contacts the other agency to determine if leave was forfeited at the time of separation. If not, the agency is asked to certify the leave account. The following applies:

- a. If the agency cannot find the leave record, the Postal Service will accept a statement or other evidence of leave credits. The statement should include an estimate of leave credit and reflect the factors forming the basis of the estimate.
- b. If the leave record or statement justifies it, the amount of leave shown is recredited.

512.923 **Leave Buy-Back OWCP**

- a. Under the provisions of the Injury Compensation Program (545.73b(6)), current employees may be permitted to buy back sick and annual leave they used while awaiting adjudication of their cases by the Office of Workers Compensation Programs (OWCP). In traumatic injury cases, employees may be permitted to buy back only the leave which is used after the end of the 45-day continuation-of-pay period.
- b. When the employee buys back annual leave for a previous year which exceeds the applicable maximum (see 512.32), the excessive leave is automatically forfeited. Employees are allowed to buy back only those hours that can be carried forward.
- c. Some loss of leave may occur when the period of absence is changed to a leave without pay (LWOP) status as a result of leave buy-back. For every 80 hours of leave bought back and changed to LWOP, both annual and sick leave must be adjusted by the amount earned in 1 pay period. The employee must be informed of this so there will be no misunderstanding.
- d. See Exhibit 514.4, item e, for further information.

513 **Sick Leave**513.1 **Purpose**

Sick leave insures employees against loss of pay if they are incapacitated for the performance of duties because of illness, injury, pregnancy and confinement, and medical (including dental or optical) examination or treatment.

513.2 **Accrual and Crediting**513.21 **Accrual Chart**

<b>Employee Category</b>	<b>Time Accrued</b>
a. Full-time employees.	4 hours for each full biweekly pay period — i.e., 13 days (104 hours) per 26-period leave year.
b. Part-time employees.	1 hour for each unit of 20 hours in pay status up to 104 hours (13 days) per 26-period leave year.

513.22 **Crediting**513.221 **General**

Sick leave is credited at the end of each biweekly pay period in which it is earned. Sick leave (earned and unused) accumulates without limitation.

513.222 **Part-Time Employees**

Part-time employees are not credited with sick leave in excess of 13 days (104 hours) per 26-period leave year.

513.223 **Substitute Rural Carriers**

Substitute rural carriers who are serving vacant routes or who serve during the extended absence of rural carriers are credited with sick leave starting with their first pay period.

513.224 **Auxiliary Rural Carriers**

Auxiliary rural carriers are not credited with sick leave in excess of 104 hours per leave year. If they serve in another capacity (e.g., flexible employees) in the post office, that service is also used in computing sick leave credit (see 513.21).

513.225 **Substitute Rural Carriers in Dual Appointment**

Substitute rural carriers (designation 73) in dual appointments earn sick leave only when their service is performed in a position that is subject to the Civil Service Retirement Act. The leave can be used only while they are serving in a leave-earning position.

513.226 **Leave Credit Adjustment**

See 514.24.

513.3 **Authorizing Sick Leave**513.31 **Policy**513.311 **General**

Sick leave cannot be granted until it is earned, except as provided in 513.5.

513.312 **Restriction**

An employee who is in sick leave status may *not* engage in any gainful employment unless prior approval has been granted by appropriate authority. (See part 660, *Code of Ethics*.)

513.32 **Conditions for Authorization**

<b>Conditions</b>	
a. Illness or injury.	If employees are incapacitated for the performance of official duties.
b. Pregnancy and confinement. (Sick leave, annual leave, or LWOP is granted as may be necessary.)	If absence is required for physical examinations or periods of incapacitation.
c. Medical, dental, or optical examination or treatment.	If absence is necessary during the employee's regular scheduled tour.
d. Contagious disease. A contagious disease is a disease ruled as requiring isolation, quarantine, or restriction of movement of the patient for a particular period by the health authorities having jurisdiction.	If employees (1) must care for family member afflicted with a contagious disease, (2) have been exposed to a contagious disease and would jeopardize the health of others, or (3) have evidence supplied by the local health authorities or certificate signed by a physician certifying the need for the period of isolation or restriction.
e. Medical treatment for disabled veterans. (Sick leave, annual leave, or LWOP is granted as may be necessary.)	If employees (1) present a statement from a duly authorized medical authority that treatment is required, and (2) when possible, give prior notice of the definite number of days and hours of absence. (Such information is needed for work scheduling purposes.)

513.33 **Application for Sick Leave**513.331 **General**

Except for unexpected illness/injury situations, sick leave must be requested on Form 3971 and approved in advance by the appropriate supervisor.

513.332 **Unexpected Illness/Injury**

An exception to the advance approval requirement is made for unexpected illness/injuries; however, in these situations the employee must notify appropriate postal authorities as soon as possible as to their illness/injury and expected duration of absence. As soon as possible after return to duty, employees must submit a request for sick leave on Form 3971. Employees may be required to submit acceptable evidence of incapacity to work as outlined in the provisions of 513.36, *Documentation Requirements*. The supervisor approves or disapproves the leave request. When the request is disapproved, the absence may be recorded as annual leave, if appropriate, as LWOP or AWOL, at the discretion of the supervisor as outlined in 513.342.

**513.34 Form 3971, Request for, or Notification of, Absence****513.341 General**

Application for sick leave is made in writing, in duplicate, on Form 3971, *Request for or Notification of Absence*.

**513.342 Approval/Disapproval**

The supervisor is responsible for approving or disapproving applications for sick leave by signing Form 3971, a copy of which is given to the employee. If a supervisor does not approve an application for leave as submitted, the Disapproved block on the Form 3971 is checked and the reason(s) given, in writing, in the space provided. When a request is disapproved, the granting of any alternate type of leave, if any, must be noted along with the reason for the disapproval. AWOL determinations must be similarly noted.

**513.35 Postmaster Absences**

There are special requirements for postmaster absences:

- a. *Leave Replacement*. A postmaster whose absence requires the hiring of a leave replacement must notify the appropriate official.
- b. *Absence Over 3 Days*. A postmaster who is absent in excess of 3 days must submit Form 3971 within 2 days of returning to duty or, for an extended illness, at the end of each accounting period.

**513.36 Documentation Requirements****513.361 Three Days or Less**

For periods of absence of 3 days or less, supervisors may accept the employees' statement explaining the absence. Medical documentation or other acceptable evidence of incapacity for work is required only when the employee is on restricted sick leave (see 513.37) or when the supervisor deems documentation desirable for the protection of the interests of the Postal Service.

**513.362 Over Three Days**

For absences in excess of 3 days, employees are required to submit medical documentation or other acceptable evidence of incapacity for work.

**513.363 Extended Periods**

Employees who are on sick leave for extended periods are required to submit at appropriate intervals, *but not more frequently than once every 30 days*, satisfactory evidence of continued incapacity for work unless some responsible supervisor has knowledge of the employee's continuing incapacity for work.

**513.364 Medical Documentation or Other Acceptable Evidence**

When employees are required to submit medical documentation pursuant to these regulations, such documentation should be furnished by the employee's attending physician or other attending practitioner. The documentation should provide an explanation of the nature of the employee's illness or injury sufficient to indicate to management that the employee was (or will be) unable to perform his or her normal duties for the period of

absence. Normally, medical statements such as “under my care” or “received treatment” are not acceptable evidence of incapacitation to perform duties. Supervisors may accept proof other than medical documentation if they believe it supports approval of the sick leave application.

513.365 **Failure to Furnish Required Documentation**

If acceptable proof of incapacitation is not furnished, the absence may be charged to annual leave, LWOP, or AWOL.

513.37 **Restricted Sick Leave**

513.371 **Reasons for Restriction**

Supervisors or installation heads who have evidence indicating that an employee is abusing sick leave privileges may place an employee on the restricted sick leave list. In addition, employees may be placed on the restricted sick leave list after their sick leave use has been reviewed on an individual basis and the following actions have been taken:

- a. Establishment of an absence file.
- b. Review of the absence file by the immediate supervisor and by higher levels of management.
- c. Review of the absences during the past quarter of LWOP and sick leave used by employees. (No minimum sick leave balance is established below which the employee’s sick leave record is automatically considered unsatisfactory.)
- d. Supervisor’s discussion of absence record with the employee.
- e. Review of the subsequent quarterly absences. If the absence logs indicate no improvement, the supervisor is to discuss the matter with the employee to include advice that if there is no improvement during the next quarter, the employee will be placed on restricted sick leave.

513.372 **Notice and Listing**

Supervisors provide written notice to employees that their names have been added to the restricted sick leave listing. The notice also explains that until further notice, the employees must support *all* applications for sick leave by medical documentation or other acceptable evidence (see 513.364).

513.373 **Recision of Restriction**

Supervisors review the quarterly leave listings furnished by the PDC. If there has been a substantial decrease in absences charged to sickness, the employee’s name is removed from the restricted sick leave list and the employee is notified in writing of the removal.

513.38 **Performance Ability Questioned**

When the reason for an employee’s sick leave is of such a nature as to raise justifiable doubt concerning the employee’s ability to satisfactorily and/or safely perform duties, a *fitness-for-duty medical examination* is requested through appropriate authority. A complete report of the facts, medical and otherwise, should support the request.

513.4

513.4 **Charging Sick Leave**513.41 **Full-Time Employees**513.411 **General**

- a. Sick leave is not charged for legal holidays or for nonworkdays established by Executive Order.
- b. Sick leave may be charged on any scheduled workday of an employee's basic workweek including Saturdays and Sundays.

513.412 **Minimum Unit Charge**

Employee Category	Minimum Unit Charge
a. All full-time nonexempt employees.	Hundredth of an hour (.01 hour).
b. Full-time exempt employees.	(See 519.71.)
c. Rural carriers.	1 day (8 hours).
d. Substitute rural carriers (1) serving a vacant route or (2) serving in absence of rural carriers on extended leave.	1 day (8 hours).
e. Triweekly rural carriers.	(See 512.54.)

513.413 **Special Situations**

- a. *A–E Postmasters.* A–E postmasters are charged sick leave the same as annual leave. (See 512.52.)
- b. *Rural Carriers.* Rural carriers who are absent because of illness on Saturdays are charged sick leave based on the computations used for their annual leave charges. (See 512.53.)
- c. *Substitute Rural Carriers.* Substitutes who are serving a vacant rural route or who serve for a rural carrier on extended leave are charged sick leave the same as rural carriers.
- d. *Triweekly Rural Carriers.* Triweekly rural carriers are charged sick leave the same as for annual leave. (See 512.54.)

513.42 **Part-Time Employees**513.421 **General**

- a. Absences due to illness are charged as sick leave on any day that an hourly rate employee is scheduled to work except national holidays.
- b. Except as provided in 513.82, paid sick leave may not exceed the number of hours that the employee would have been scheduled to work, up to:
  - (1) A maximum of 8 hours in any 1 day.
  - (2) 40 hours in any 1 week.
  - (3) 80 hours in any one pay period. If a dispute arises as to the number of hours a part-time flexible employee would have been scheduled to work, the schedule will be considered to have been

equal to the average hours worked by other part-time flexible employees in the same work location on the day in question.

- c. Limitations in 513.421b apply to paid sick leave only and not to a combination of sick leave and workhours. However, part-time flexible employees who have been credited with 40 hours or more of paid service (work, leave, or a combination of work and leave) in a service week are not granted sick leave during the remainder of that service week. Absences, in such cases, are treated as nonduty time which is not chargeable to paid leave of any kind. (Sick leave is not intended to be used to supplement earnings of employees.)

513.422 **Minimum Unit Charge**

Employee Category	Minimum Unit Charge
All part-time nonexempt employees.	Hundredth of an hour (.01 hour).
Part-time exempt employees.	(See 519.71.)

513.5 **Advance Sick Leave**

513.51 **Policy**

513.511 **May Not Exceed Thirty Days**

Sick leave not to exceed 30 days (240 hours) may be advanced in cases of serious disability or ailments if there is reason to believe the employee will return to duty. Sick leave may be advanced whether or not employees have annual leave to their credit.

513.512 **Medical Document Required**

Every application for advance sick leave must be supported by medical documentation of the illness.

513.52 **Administration**

513.521 **Installation Heads' Approval**

Officials in charge of installations are authorized to approve these advances without reference to higher authority.

513.522 **Forms Forwarded**

Form 1221, *Advance Sick Leave Authorization*, is completed and forwarded to the PDC when advance sick leave is authorized.

513.53 **Additional Sick Leave**

513.531 **Thirty-Day Maximum**

Additional sick leave may be advanced even though liquidation of a previous advance has not been completed, provided the advance at no time exceeds 30 days. Any advance sick leave authorized is in addition to the sick leave which has been earned by the employee at the time the advance is authorized.

**513.532 Liquidating Advance Sick Leave**

The liquidation of advance sick leave is not to be confused with the substitution of annual leave for sick leave to avoid forfeiture of the annual leave. Advanced sick leave may be liquidated in the following manner:

- a. Charging the sick leave against the sick leave earned by the employee as it is earned upon return to duty.
- b. Charging the sick leave against an equivalent amount of annual leave, at the employee's request if the annual leave charge is made prior to the time such leave is forfeited because of the leave limitation regulation.

**513.6 Leave Charge Adjustments****513.61 Insufficient Sick Leave**

If sick leave is approved, but the employee does not have sufficient sick leave to cover the absence, the difference is charged to annual leave or to LWOP at the employee's option.

**513.62 Insufficient Sick and Annual Leave**

If sick leave is approved for employees who have no annual or sick leave to their credit, the absence may be charged as LWOP unless sick leave is advanced as outlined in 513.5. LWOP so charged cannot thereafter be converted to sick or annual leave.

**513.63 Disapproved Sick Leave**

If sick leave is disapproved, but the absence is nevertheless warranted, the supervisor may approve, at the employee's option, a charge to annual leave or a charge to LWOP.

**513.64 Absence Without Leave**

An absence which is disapproved is charged as LWOP and may be administratively considered as AWOL.

**513.65 Annual Leave Changed to Sick Leave**

If an employee becomes ill while on annual leave and the employee has a sick leave balance, the absence may be charged to sick leave.

**513.7 Transfer or Reemployment****513.71 Transfer****513.711 Crediting**

Individuals who are transferring from a federal agency to the USPS are credited with their sick leave balance provided there is not a break in service in excess of 3 years.

**513.712 Recrediting**

- a. If a USPS employee transfers to a position under a different leave system, to which only a part of the employee's sick leave can be

transferred, the sick leave is recredited if the individual returns to the USPS provided there is not a break in service in excess of 3 years.

- b. If a USPS employee transfers to a position to which sick leave cannot be transferred, the sick leave is recredited if the individual returns to the Postal Service provided there is not a break in service in excess of 3 years.

#### 513.72 **Reemployment**

Sick leave may be recredited upon reemployment provided there is not a break in service in excess of 3 years.

#### 513.73 **Reemployment — OWCP**

All individuals who were originally separated and who are subsequently reemployed from a continuous period on OWCP rolls will have any previously unused sick leave recredited to their account, regardless of the length of time the employee was on OWCP and off postal rolls.

**Exception:** Sick leave may not be recredited if the employee applied and was approved for disability retirement regardless of whether the employee actually collected the annuity.

#### 513.8 **Retirements or Separations**

##### 513.81 **General**

No payment is made for accumulated sick leave when an employee retires or separates.

##### 513.82 **Retirement**

##### 513.821 **Credit for Sick Leave**

Provisions of the Civil Service Retirement law provide for the granting of credit for unused sick leave in calculating retirement or survivor annuity at the time of the employee's retirement or death. (See ELM 562.4.) Each 8 hours of sick leave represents 1 day of retirement credit. Unused sick leave days are converted to calendar time retirement credit, based on a 260-day work year (260 days x 8 hours = 2,080 hours). There are no provisions for credit of sick leave upon retirement for employees under the FERS program except for those employees who formerly were in the Civil Service Retirement System (CSRS) and transferred to FERS. Subchapter 580, Federal Employees' Retirement System (FERS), a new subchapter in the ELM, provides details for credit of sick leave upon retirement for FERS employees who formerly were under the CSRS coverage.

##### 513.822 **Disability Retirement**

If the OPM has approved an application for disability retirement effective on expiration of accumulated and accrued leave, or if the employee is being otherwise separated for physical or mental disability resulting in inability to perform the work, sick leave is granted at the rate of 8 hours per day, 40 hours per week, or 80 hours per pay period until the employee's sick leave is exhausted. Payments may not be made, however, for any hours for which the employee received salary or leave payments from another federal agency.

**513.83 Separation by Death**

If an ill employee dies without returning to duty and without making application for sick leave, the postal official who is in charge of the installation grants sick leave for the period of illness or disability immediately prior to death. If the employee was in pay status on the day of death or immediately prior to death, the employee's beneficiary is entitled to receive compensation without charge to leave for the date of death. The latter applies whether or not employees have leave to their credit.

**513.9 Collection for Unearned Sick Leave**

Collection for used but unearned sick leave at the time of separation is made in the same manner as for unearned annual leave (See 512.72).

**514 Leave Without Pay (LWOP)****514.1 Definition**

- a. LWOP is an authorized absence from duty in a nonpay status.
- b. LWOP may be granted upon the employee's request and covers only those hours which the employee would normally work or for which the employee would normally be paid.
- c. LWOP is different from AWOL (absent without leave) which is a nonpay status due to a determination that no kind of leave can be granted either because (1) the employee did not obtain advance authorization or (2) the employee's request for leave was denied.

**514.2 Policy****514.21 Restriction**

LWOP in excess of 2 years is not approved unless specifically provided for in postal policy or regulations.

**514.22 Administrative Discretion**

Each request for LWOP is examined closely and a decision is made based on the needs of the employee, the needs of the USPS, and the cost to the USPS. The granting of LWOP is a matter of administrative discretion. It is not granted on the employee's demand except:

- a. A disabled veteran is entitled to LWOP, if necessary, for medical treatment.
- b. A Reservist or a National Guardsman is entitled to LWOP, if necessary, to perform military training duties under the Vietnam Era Veterans' Readjustment Act of 1974. (See 38 U.S.C., section 2024.)
- c. An employee who requests and is entitled to time off under 515, Absences for Family Care or Serious Health Problem of Employee, must be allowed up to a total of 12 workweeks of absence within a

Postal Service leave year for one or more reasons listed in 515.41. Leave without pay may be taken in combination with annual or sick leave for which the employee is qualified.

514.23 **Condition**

In granting approval for extended LWOP, there should be reasonable expectation that the employee will return at the end of the approved period.

514.24 **Leave Credit Adjustment**

Employees who are on LWOP for a period, or periods, totaling 80 hours (normal number of workhours in 1 pay period) during a leave year have their leave credits reduced by the amount of leave earned in 1 pay period.

**Exception:** Employees who (1) are in leave category 6, (2) are not on LWOP for the entire year, and (3) whose accumulated LWOP reaches 80 hours in the last pay period in a leave year will have their leave balance reduced by only 6 hours, even if they earn 10 hours during that pay period (see 512.3.). Also, no adjustment is made for periods of LWOP taken for active military service or while absent due to an illness or injury approved by OWCP.

514.25 **Other Employment**

LWOP is not granted for the purpose of enabling an employee to "try out" or to accept other employment.

514.3 **Authority to Approve**

514.31 **Installation Head**

Installation heads may approve requests for LWOP which are not in excess of 1 year.

514.32 **Field Division General Managers/Postmasters**

Field Division General Managers/Postmasters may approve requests for LWOP that are not in excess of 2 years.

514.4 **Acceptable Reason and Instructions**

See Exhibit 514.4 for acceptable reasons and instructions for LWOP.

514.4

Exhibit 514.4 (p. 1)

**Acceptable Reasons and Instructions for LWOP**

<b>Acceptable Reasons for LWOP</b>	<b>Instructions</b>
a. Personal reasons.	LWOP may be granted to cover the absence.
b. Employee has no leave to cover vacation during choice vacation period.	LWOP may be granted to cover the absence.
c. Full-time attendance at a college or university.	<ol style="list-style-type: none"> <li>(1) Restricted to full-time employee.</li> <li>(2) An official transcript of courses taken must be submitted to the installation head.</li> </ol>
d. Personal illness or injury (also see 515).	<ol style="list-style-type: none"> <li>(1) LWOP may be granted after accumulated accrued sick and annual leave have been exhausted; except that during a pay period in which, due to personal injury or illness, no work is performed, an employee may utilize annual and/or sick leave in conjunction with LWOP, subject to approval of the leave in accordance with normal leave approval procedures.</li> <li>(2) A medical document from the attending physician or practitioner must be obtained before approval, the same as for sick leave.</li> <li>(3) Applications for LWOP to cover a period in excess of 30 days in any 1 year in cases of illness or injury are reviewed and acted upon by the installation head.</li> <li>(4) An employee normally will not be separated from the service because of absence due to personal illness or injury for a period of less than 1 year (also see 568). An employee may be separated if required to be absent for more than 1 year unless there is cause to expect recovery and return within a reasonable time after the end of 1 year in LWOP status.</li> <li>(5) The separation of an employee after 1 year of continued absence with or without pay does not prevent an eligible employee from filing an application for retirement (also see 568).</li> </ol>
e. Injury in line of duty.	<ol style="list-style-type: none"> <li>(1) Supervisors must advise employees of their right to file an application for FECA benefits as a result of illness or injury that is suffered in the line of duty. (See instructions on CA-1 and CA-2a for traumatic injuries and CA-2 for occupational illnesses and diseases.)</li> <li>(2) In traumatic injury cases, an employee is entitled to a maximum of 45 calendar days of continuation of pay (COP) without charge to leave if written notice of injury is filed within 30 days of injury. The period of COP begins at the start of the employee's first full tour of duty thereafter, or the first day following the disability, whichever occurs sooner. The period during which 45 days of COP may be claimed must begin within 90 days of the occurrence of the injury but may end after 90 days from the occurrence. If, after returning to work subsequent to an apparent recovery from a traumatic injury, an employee is again absent from work as a result of the original traumatic injury, the employee may use any remaining COP time left up to the 45-day limit. However, the remaining COP time must be used within 90 days of the date the employee first returns to work following the initial traumatic injury.</li> <li>(3) An employee may choose sick or annual leave in lieu of COP; however, this leave may be retroactively converted to COP provided a request is made within 1 year of the date the leave was used or the date of the claim approval, whichever is later.</li> <li>(4) Before being placed on LWOP, an employee may choose to use annual or sick leave until it is exhausted. Leave is earned during that part of a pay period in which the employee is in pay status.</li> <li>(5) On favorable adjudication of a claim by the Office of Workers' Compensation Programs (OWCP), LWOP may be substituted for a period of sick and/or annual leave so that the employee may accept disability compensation for the period of absence.</li> <li>(6) On favorable adjudication of a claim by OWCP, current employees may be permitted to buy back the leave that they used while awaiting adjudication (see 545.73b(6)). If the injury is a traumatic injury, only leave used after the end of the 45-day COP period may be bought back. OWCP does not restrict the amount of leave hours an employee may buy back. However, Postal Service regulations do not permit employees to carry-over into the next leave year more than the allowable maximum number of hours of annual leave (see 512.12). When an employee buys back annual leave in the previous year in an amount that exceeds the applicable maximum carry-over, such excess will be automatically forfeited. For every 80 hours of leave bought back and changed to LWOP, both annual and sick leave must be adjusted by the amount earned in a pay period.</li> </ol>

Exhibit 514.4 (p. 2)

**Acceptable Reasons and Instructions for LWOP**

<b>Acceptable Reasons for LWOP</b>	<b>Instructions</b>
f. Family care (see 515).	An eligible employee may request and must be allowed a total of up to 12 workweeks of absence during a Postal Service leave year for one or more reasons listed in 515.41. LWOP may be taken in combination with annual or sick leave for which the employee is qualified.
g. Military duty for scheduled drills or for periods of training.	An employee enlisted under the Reserve Forces Act of 1955 who has completed the initial period of active duty training of not less than 3 months or more than 6 months may be granted LWOP for scheduled drills or periods of training.
h. Military duty for any purpose, training or otherwise.	Eligible members of the National Guard or reserve components of the Armed Forces who are ordered to active duty for training or for any other purposes, for a specified period of time not to exceed 1 year, but in excess of the total time allowable under military leave and annual leave are granted LWOP.
i. Employee elected to devote full-time service as a national president to an organization of supervisory or other managerial personnel (see 416.3).	<ol style="list-style-type: none"> <li>(1) LWOP normally does not exceed 2 consecutive years coinciding with the elected term of office.</li> <li>(2) The employee requests in writing, through the appropriate management structure, that the vice president of Labor Relations grant the employee LWOP during tenure of presidency for the purpose of serving as resident president of an employee organization in Washington, D.C., in a full-time capacity.</li> <li>(3) If LWOP is granted, the employee continues to be eligible for appropriate fringe benefits during that period.</li> <li>(4) The vice president of Labor Relations reserves the right to deny the request for LWOP if it is determined that the position must be filled on a permanent basis, unencumbered by an individual on prolonged leave.</li> </ol>
j. Union business.	See applicable provisions of current collective bargaining agreement.
k. Postmaster elected as an organization officer, other than the president.	See 519.271c and d.

514.5

**514.5 Forms Required****514.51 Form 3971**

A request for LWOP is submitted by the employee on Form 3971, *Request for or Notification of Absence*. If the request for leave indicates the LWOP will extend over 30 days, a written justification and statement of reason for the desired absence is required.

**514.52 Form 50**

Form 50, *Notification of Personnel Action*, is prepared when LWOP is in excess of 30 days. See Handbook EL-301, *Processing Personnel Actions*.

**Note:** Handbook EL-301 is a new directive (scheduled for publication in the near future) which is a revision and replacement of Chapter 6 of former Handbook P-11, *Personnel Operations*.

**515 Absence for Family Care or Serious Health Condition of Employee****515.1 Purpose**

This section provides policies to comply with the Family and Medical Leave Act of 1993. Nothing in this section is intended to limit employees' rights or benefits available under other current policies (see 511, 512, 513, 514), or collective bargaining agreements. Likewise, nothing increases the amount of paid leave beyond what is provided for under current leave policies or in any collective bargaining agreement. The conditions for authorizing the use of annual leave, sick leave, or LWOP are modified only to the extent described in this section.

**515.2 Definitions**

The following definitions apply for the purposes of the section:

- a. *Son or daughter* — biological, adopted, or foster child, stepchild, legal ward, or child who stands in the position of a son or daughter to the employee, who is under 18 years of age or who is over 18 and incapable of self-care because of mental or physical disability.
- b. *Parent* — biological parent or individual who stood in that position to the employee when the employee was a child.
- c. *Spouse* — husband or wife.
- d. *Serious health condition* — illness, injury, impairment, or physical or mental condition that involves any of the following:
  - (1) Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility.
  - (2) Any period of incapacity requiring absence from work or regular daily activities of more than 3 calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider.

- (3) Continuing treatment by (or under the supervision of) a health care provider (a) for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than 3 days; or (b) for prenatal care.

**Note:** Voluntary or cosmetic treatments (such as most treatments for orthodontia or acne) which are not medically necessary are not “serious health conditions,” unless inpatient hospital care is required. Restorative dental surgery after an accident or removal of cancerous growths is a serious health condition provided all the other conditions are met. Treatments for allergies or stress, or for substance abuse, are serious health conditions if all the conditions of the regulations are met. Prenatal care is included as a serious health condition. Routine preventative physical examinations are excluded.

- e. Health care provider — doctor of medicine or osteopathy, Christian Science practitioner listed with the First Church of Christ, Scientist in Boston, MA, or other attending practitioner (see 513.364).

### 515.3 Eligibility

To request leave under this section, an employee must have been employed by the Postal Service for an accumulated total of 12 months, and must have worked a minimum of 1,250 hours during the 12-month period before the date leave begins.

### 515.4 Leave Requirements

#### 515.41 Conditions

Eligible employees *must* be allowed an accumulated total of up to 12 workweeks of leave within a Postal Service leave year for one or more of the following:

- a. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter. Entitlement to leave for this condition expires 1 year after the birth.
- b. Because of the placement of a son or daughter with the employee for adoption or foster care. Entitlement to leave for this condition expires 1 year after the placement.
- c. In order to care for the spouse, son, daughter, or parent of the employee if the spouse, son, daughter, or parent has a serious health condition.
- d. Because of a serious health condition that makes the employee unable to perform the functions of the employee’s position.

#### 515.42 Leave Type

Absences approved under this section are charged as annual leave, sick leave, or leave without pay, or a combination of these. Leave is charged consistent with current leave policies and applicable collective bargaining

agreements. Approving officials should note "FMLA" in the approval block of the Form 3971, *Request for or Notification of Absence*.

#### 515.43 **Authorized Hours**

Under this section, full-time employees, are entitled to up to 480 hours of leave (i.e., 12 weeks times 40 hours per week) within a leave year. Employees with weekly schedules of less than 40 hours are entitled to 12 times the number of hours normally scheduled in their workweek. For example, a part-time employee with a normal schedule of 30 hours a week is entitled to 360 hours (12 weeks times 30 hours). A part-time employee who does not have a normal weekly schedule is entitled to the total number of hours worked in the previous 12 weeks, not including overtime hours. Leave in addition to the 12 workweeks authorized under this section may be granted in accordance with other leave policies or collective bargaining agreements (see 511, 512, 513, 514).

#### 515.5 **Documentation**

##### 515.51 **General**

An employee must provide a Form 3971, *Request for or Notification of Absence*, together with documentation supporting the request, at least 30 days before the absence if the need for the leave is foreseeable. If 30 days notice is not practicable, notice must be given as soon as practicable. Ordinarily at least verbal notification should be given within 1 or 2 business days of when the need for leave becomes known to the employee. The employee will be provided a notice detailing the specific expectations and obligations and consequences of a failure to meet these obligations. Additional documentation may be requested, which must be provided within 15 days or as soon as practical under the particular facts and circumstances. During an absence, the employee must keep his or her supervisor informed of intentions to return to work and of status changes which could affect his or her ability to return to work. Failure to provide documentation can result in the denial of family and medical leave under this section.

##### 515.52 **New Son or Daughter**

An employee requesting time off because of the birth of the employee's son or daughter and to care for the son or daughter, or because of the placement of a son or daughter with the employee for adoption or foster care, may be required to provide the birth or placement date.

##### 515.53 **Care of Others for Medical Reasons**

An employee requesting time off to care for a spouse, parent, son, or daughter who has a serious health condition may be required to provide documentation from the health care provider stating the date the serious health condition began, probable duration of the illness, appropriate medical facts, and when the employee will be needed to provide such care or psychological support. When the request is to care for someone other than a biological parent or child, appropriate explanation of the relationship may be required.

**515.54 Additional Medical Opinions**

A second medical opinion by a health care provider who is designated and paid for by the Postal Service may be required. In case of a difference between the original and second opinion, a third opinion by a health care provider may be required. The third health care provider is jointly designated or approved by management and the employee, and the third opinion is final. The Postal Service pays the health care provider for the third opinion. A health care provider selected for the second or third opinion may not be employed by the Postal Service on a regular basis. Recertifications of a medical condition may also be required during absences.

**515.55 Employee Incapacitation**

An employee requesting time off under this section because of his or her own incapacitation must satisfy the documentation requirements for sick leave in 513.31 through 513.38 or for leave without pay in 514.4. If absence exceeds 21 calendar days, evidence of ability to return to work with or without limitations must be submitted. If additional medical opinions are required, they are administered as described in 515.54.

**515.6 Intermittent Leave or Reduced Schedule****515.61 New Son or Daughter**

Leave requested because of the birth of the employee's son or daughter and to care for the son or daughter or because of the placement of a son or daughter with the employee for adoption or foster care may be taken on an intermittent basis or by establishing a reduced work schedule only if the request for such intermittent leave or schedule modification is approved. Approval is based on employee need, Postal Service need, and costs to the Postal Service.

**515.62 Care of Others for Medical Reasons or Employee Incapacitation**

Leave requested to care for a spouse, son, daughter, or parent with a serious health condition or due to the employee's health condition may be taken on an intermittent basis or by establishing a reduced work schedule when medically necessary.

**515.63 Temporary Change in Duty Assignment**

If an employee requests intermittent leave or a reduced work schedule, the Postal Service may assign the employee, with equivalent pay and benefits, temporarily to the duties of another position consistent with applicable collective bargaining agreements and regulations if such an assignment better accommodates the recurring periods of absence.

**515.64 FLSA Status**

An employee exempt from the Fair Labor Standards Act (FLSA) normally may not take leave in less than 1-day increments. However, leave taken under this section on an intermittent basis or by temporarily establishing a reduced work schedule can be taken in less than 1-day increments without affecting the employee's FLSA-exempt status.

**515.7 Return to Position**

Employees taking leave under this section are entitled to return to their positions held when leave began, or to equivalent positions with equivalent pay, benefits, working conditions, and other terms of employment. Returning employees are not entitled to any right, benefit, or position which they would not have been entitled had they not taken the leave, or to intangible, unmeasurable aspects of the job such as the perceived loss of potential for future promotional opportunities. If an employee was hired for a specific term or only to perform work on a discrete project, then there is no further reinstatement obligation under this section if the employment term or project is over and the employment would not have otherwise continued.

**515.8 Benefits**

All benefits shall accrue to employees in a leave status under this section pursuant to the applicable provision of the ELM.

**515.9 Family Leave Poster**

All postal facilities, including stations and branches, are required to conspicuously display Poster 43, *Your Rights Under the Family and Medical Leave Act of 1993*. It must be posted, and remain posted, on bulletin boards where it can be seen readily by employees and applicants for employment.

**516 Court Leave****516.1 General****516.11 Definitions****516.111 Court Leave**

Court leave is the authorized absence from work status (without loss of or reduction in pay, leave to which otherwise entitled, credit for time or service, or performance rating) of an employee who is summoned in connection with a judicial proceeding, by a court or authority responsible for the conduct of that proceeding, to serve as a juror or to serve as a witness in a nonofficial capacity on behalf of a state or local government, or witness in a nonofficial capacity on behalf of a private party in a judicial proceeding to which the Postal Service is a party or the real party in interest. The court or judicial proceeding may be located in the District of Columbia, a state, territory, or possession of the United States, including the Commonwealth of Puerto Rico, the Canal Zone, or the Trust Territory of the Pacific Islands.

**516.112 Judicial Proceedings**

Judicial proceedings contemplate any action, suit, or other proceedings of a judicial nature but do not include administrative proceedings such as hearings conducted in accordance with ELM 650, *Adverse Personnel Action — Grievance and Appeal (Nonbargaining)*.

516.12 **Eligibility**

Court leave is granted to all full-time and part-time regular employees. Certain part-time flexible employees are granted court leave as provided and governed by applicable collective-bargaining agreements. All other employees are ineligible for court leave and must use either annual leave or LWOP to cover the period of absence from postal duties for court service but may retain any fees or compensation received incident to such court service.

516.2 **Absences for Court or Court-Related Service**

Nature of Service	Court Leave	Official Duty	AL or LWOP
I. Jury Service:			
(A) U.S. or D.C. court.	X	.....	.....
(B) State or local court.	X	.....	.....
II. Witness Service:			
(A) On behalf of U.S. or D.C. government.	.....	X	.....
(B) On behalf of state or local government:			
(1) In official capacity.	.....	X	.....
(2) Not in official capacity.	X	.....	.....
(C) On behalf of private party:			
(1) In official capacity.	.....	X	.....
(2) Not in official capacity:			
(a) USPS a party.	X	.....	.....
(b) USPS not a party.	.....	.....	X

516.3 **Determining Nature of Court Service**

Installation heads ascertain the exact nature of court service in order to determine if the employee is entitled to court leave or official duty status. If a summons to witness service is not specific or clear, the installation head contacts appropriate authorities to determine the party on whose behalf the witness service is to be rendered. When the exact nature of court service is determined, records are annotated accordingly.

516.4 **Granting Court Leave**516.41 **Pay Status Requirement**

Court leave is granted only to eligible employees who, except for jury duty or service as a witness in a nonofficial capacity on behalf of a state or local government, or service as a witness in a nonofficial capacity on behalf of a private party in a judicial proceeding to which the Postal Service is a party or the real party in interest, would be in work status or on annual leave. An employee on LWOP, when called for such court service, although otherwise

eligible for court leave, is not granted court leave but may retain any fees or compensation received incident to court service.

516.42 **Employee on Annual Leave**

If an eligible employee while on annual leave is summoned for jury duty service as a witness in a nonofficial capacity on behalf of a state or local government, or service as a witness in a nonofficial capacity on behalf of a private party in a judicial proceeding to which the Postal Service is a party or the real party in interest, the employee's annual leave is cancelled and the employee is placed on court leave for the duration of such court service. Employees who are not entitled to court leave must use annual leave or LWOP for the period of absence from duty for such court service.

516.43 **Combination of Court Service and Postal Duty**

- a. *Employees Who Report for Court Service and Are Excused Early.* If an employee reports for court service and is excused by the court for the balance of the day, or performs court service for only part of that day, the employee is entitled to full compensation for the day in question. The employee is required to report to the postal installation for the balance of the postal tour of duty provided: (1) an appreciable time of the tour is involved and (2) it is feasible to report to work and complete the tour. The combined court service and postal duty may not exceed 8 hours. (This limitation does not apply to employees exercising the option provided in 516.334a1.)
- b. *Employees Who Serve a Full Day in Court.* Employees serving a full day in court service are not required to report to their postal duties.
- c. *Employees Excused from Court Service for an Extended Period.* Employees excused from court service for an entire day or days are not entitled to compensation for such days unless they actually perform service as postal employees.

516.44 **Accommodation of Employees Called for Court Service**

- a. *Employee Options.* Employees who are eligible for court leave and who have a conflict with court duty and work schedules have the following options.
  - (1) Work their postal tours of duty in addition to performing court service.
  - (2) Have their work schedules changed temporarily to conform to the hours of court service. (Employees who do not choose this option may not have their work schedule changed and are expected to report for postal duty upon completion of their court service.)
- b. *Performance of Postal Tour of Duty in Addition to Court Service.* If employees work their full postal tours of duty in addition to performing court service, their court service is *not* charged to court leave as the court service is performed outside of their postal tours of duty. Accordingly, employees may retain any fees or payment received incident to such court service. If employees choose to work their full postal tours of duty in addition to performing court service, but are

required to be in court beyond the starting time of their scheduled tours, they report for postal duty as soon as possible after completion of court service and work the remaining hours of their scheduled tours. The hours of court service which overlap the employees' scheduled tours of duty are charged to court leave and the employees remit to the Postal Service that portion of court fees received for the hours charged to court leave. The combined court leave and postal workhours may not exceed 8 hours.

- c. *Temporary Change in Schedule.* Employees who choose to have their work schedules changed temporarily to conform to court service hours submit Form 3189, *Request for Temporary Schedule Change for Personal Convenience*, as soon as possible, together with Form 3971, requesting such schedule change to the appropriate postal official at their installation. (See 232.23, Handbook F-21, *Time and Attendance*.) Such request states that the schedule change is for the employee's personal convenience and is agreed to by the local union. Employees who exercise this option receive full compensation for the period of court service including any applicable night differential for the revised schedule.

#### 516.45 **Overtime**

No overtime is allowed for court service performed while an employee is on court leave or for a combination of postal work and such court service.

#### 516.46 **Recording Court Service**

- a. *Employees Other Than Rural Carriers.* Form 1224, *Court Duty Leave, Statement of Service*, is prepared at the time an employee is authorized court leave. Instructions for preparing Form 1224 appear in 445.5, Handbook F-1, *Post Office Accounting Procedures*; in 353.3, and Handbook F-21; and Handbook F-22, *PSDS Time and Attendance*.
- b. *Rural Carriers.* When a rural carrier is called upon to perform court service, the postmaster records it as other leave on Form 1314-A, *Auxiliary Rural Carrier Time Certificate*, and describes the court service performed on the reverse side of the form. (See F-1, 445.5 for recording and reporting fees.)

#### 516.5 **Fees**

#### 516.51 **General**

Employees who receive jury or witness fees for court service while on court leave remit such fees to the appropriate postal official. Employees who are eligible to receive such fees are not authorized to waive the fee. The amount of fees to be retained by the Postal Service may not exceed the amount of salary otherwise payable to the employee for the hours of court leave; any excess may be retained by the employee. In states or counties within a state where employees receive an expense allowance or expense money in lieu of court fees, the employee is entitled to retain these, and the employee continues to be fully compensated through court leave.

**516.52 Court Service Outside of Regular Working Hours or Regular Working Days**

Employees who perform court service outside of their basic workweek (on scheduled days off) or outside of their scheduled tour of duty, for which no court leave is granted, may accept and retain the jury or witness fees. (If the employee's basic workweek is Monday through Friday, the employee is placed on court leave for any absence while serving as a juror or witness in a nonofficial capacity on behalf of a state or local government during this period. The employee is entitled to retain fees received for court service on Saturday and/or Sunday. The same rule applies to employees assigned to other basic workweeks, whether the scheduled nonwork days are fixed or rotating.) The basic workweek for rural carriers is Monday through Saturday, except that rural carriers who serve either "J" or "K" routes are considered to be in a scheduled nonwork status on the 1 day of each week (or every 2 weeks) in which they are given relief. A rural carrier serving a "J" or "K" route who performs court service on a scheduled nonwork day (relief day), for which no court leave is granted, may accept and retain the jury or witness fees.

**516.53 Holidays**

Fees received for court service falling on a holiday within an employee's basic workweek may be retained by the employee provided that the employee would have been excused from regular postal duties on the holiday.

**516.54 Recording and Reporting of Fees**

Postmasters record and report fees in accordance with instructions in Handbook F-1, 445.5. Other installation heads forward collections of jury or witness fees to the disbursing officer, PDC. If court service is to be performed in a state court, the installation head determines the exact amount of compensation received from the state.

**516.6 Official Duty****516.61 Definition**

An employee is in an *official duty status* (as distinguished from a leave status and without regard to any entitlement to court leave) if assigned by the Postal Service or summoned by proper authority to:

- a. Testify or produce official records on behalf of the United States or the District of Columbia. (Such testimony may be in an official or nonofficial capacity.)
- b. Testify in an official capacity or produce official records on behalf of a party other than the United States or the District of Columbia.

**516.62 Compensation**

Employees who perform witness service in an official duty status are paid their regular salaries as Postal Service employees, including any applicable night differential and overtime pay. In addition, such employees collect the

authorized fees and any allowances for travel and subsistence expenses and retain an amount equal to actual allowable expenses. All amounts collected over and above the amount of the employee's actual allowable expenses are remitted to the postal official in charge. See Handbook F-1, Part 237.

516.63 **Witness Service in a Nonofficial Capacity on Behalf of a Private Party**

An employee who testifies in a nonofficial capacity (as a private individual) on behalf of a private party is *not* performing official duty. The employee's absence is charged to court leave if the testimony is given in a judicial proceeding to which the Postal Service is a party or the real party in interest. (See 516.31.) If the Postal Service is not a party or the real party in interest, the employee's absence is charged to annual leave or LWOP, and the employee may retain any fees or compensation received for such witness service.

517 **Paid Military Leave**

517.1 **General**

517.11 **Definition**

*Paid military leave* is authorized absence from postal duties without loss of pay, time, or performance rating, granted to eligible employees who are members of the National Guard or Reservists of the armed forces.

517.12 **Types of Duty**

517.121 **Duty Covered**

- a. Active duty, field, coast defense training.
- b. Service providing military aid for law enforcement purposes.
- c. Parade or encampment activities of the D.C. National Guard.

517.122 **Types of Duty Not Covered**

- a. Summer training as a member of Reserve Officer Training Corps.
- b. Temporary Coast Guard Reserve.
- c. Service with the National Guard, if ordered by the State Governors without authority of the Department of Defense except when such service is in connection with regular annual encampment or for law enforcement purposes as specified in 517.53.
- d. Training with a State Guard or other state military organization which is not a part of the National Guard or which was created to take the place of the National Guard during an emergency.
- e. Weekly drills as member of D.C. National Guard.
- f. Civil Air Patrol, established as a civilian auxiliary of the U.S. Air Force.
- g. Time taken on a workday to travel to the place where training is to begin, unless military training orders encompass the period of travel time required.

517.2

**517.2 Procedures****517.21 Approval**

The official responsible for approving the attendance record also approves military leave.

**517.22 Return From Duty**

For paid military leave approval, upon return from military duty to the Postal Service, the employee furnishes a copy of military orders or other documentation properly endorsed by appropriate military authority to show the duty was actually performed.

**517.3 Policy**

Any employee desiring to serve in a Reserve or National Guard Unit is allowed to do so and no action to discourage either voluntary or involuntary participation is permitted. The U.S. Postal Service allows employees:

- a. To participate in drills or meetings scheduled by the National Guard or Reserve Units of the armed forces.
- b. To attend usual summer training periods.
- c. To perform any other active duty ordered by the National Guard and Reserve Units of the armed forces.

Eligible employees are also entitled to paid military leave for such duty as and to the extent provided in 517.

**517.4 Eligibility****517.41 Eligible**

Career postal employees, i.e., full-time, part-time regular, and part-time flexible employees, who are members of the following components of the armed forces are eligible for paid military leave:

- a. The Army National Guard of the United States.
- b. The Army Reserve.
- c. The Naval Reserve.
- d. The Marine Corps Reserve.
- e. The Air National Guard of the United States.
- f. The Coast Guard Reserve.
- g. The Air Force Reserve.

**517.42 Ineligible**

Permitted to serve as provided in 517.3, but not eligible for paid military leave, are noncareer employees such as the following:

- a. Casual employees.
- b. Contract workers.
- c. Noncareer rural carriers.

- d. Temporary employees.
- e. Transitional employees.

## 517.5 **Military Time Allowances**

### 517.51 **General Allowance**

Eligible full-time and part-time employees receive credit for paid military leave as follows:

- a. Full-time employee — 15 calendar days (120 hours) each fiscal year.
- b. Part-time employee — 1 hour of military leave for each 26 hours in pay status in the preceding fiscal year provided:
  - (1) Employee was in pay status a minimum of 1,040 hours in the preceding fiscal year, and
  - (2) Employee's pay for military leave does not exceed 80 hours.

### 517.52 **Previous Service**

Employees transferring to the Postal Service from other government agencies are entitled to credit for paid military leave purposes for government service performed prior to appointment as part-time employees. Any other creditable federal civilian service rendered during the prior fiscal year is also used in computing the required 1,040 hours. Creditable service is determined by requesting a transcript from the other agency detailing the number of hours in which the employee was in pay status.

### 517.53 **Law Enforcement Allowance**

Eligible full-time and part-time employees are granted additional paid military leave over and above the 15 calendar days if they are ordered by appropriate authority to provide military aid to enforce the law for their state, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, or a territory of the U.S. (Approval procedures in 517.2 apply.) Law enforcement military leave is granted as follows:

- a. Full-time employee — 22 workdays (176 workhours) each fiscal year.
- b. Part-time employee — 1 hour of military leave for each 13 hours of service performed as a part-time employee in the fiscal year preceding the request, provided:
  - (1) Employee has worked at least 1,040 hours during the preceding fiscal year, and
  - (2) Additional leave granted under this subsection does not exceed 160 workhours in a fiscal year.

### 517.54 **Special Exception — D.C. National Guard**

Members of the National Guard of the District of Columbia are granted paid military leave for all days (no limit) of parade or encampment.

**517.6 Granting Leave****517.61 Pay Status Requirement**

Generally, an employee must be in pay status either immediately prior to the beginning of military duty or immediately after the end of military duty in order to be entitled to military leave with pay. Approving officers determine whether (but for the active duty) the employee fulfills the pay status requirement.

**517.62 Minimum Units**

Military leave may be taken in hundredths of an hour, except for regular rural carriers (designation 71) or substitute rural carriers (designation 72), who must take military leave in minimum units of 8 hours.

**517.63 Leave Charge for Nonworkdays**

Nonworkdays falling within a period of absence for active duty are charged against the 15 calendar days of paid military leave allowed during the fiscal year, but nonworkdays falling at the beginning and end of the training period are not charged. This does not apply for part-time employees.

**517.64 Absence Beyond 15 days****517.641 Training Periods**

Any absence beyond the legal limit of 15 calendar days of military leave is charged to annual leave or LWOP regardless of the number of training periods in the fiscal year.

**517.642 Active Duty Extends Into Another Fiscal Year**

Military leave is limited to 15 calendar days for any period of continuous active duty even though the period may extend into more than 1 fiscal year.

**517.643 Choice of Annual Leave or LWOP**

Eligible employees who volunteer, or are ordered, for a period of military training or for a period of active military duty beyond the 15 calendar day period chargeable to military leave, may use annual leave at their option, or LWOP.

**517.65 Use of Mixed Leave**

Normally the first 15 calendar days of a longer period of military training or duty are charged to military leave. If circumstances warrant it, any other 15-day period during the longer active duty period may be designated as military leave instead of the first 15 calendar days.

**517.66 Use of Leave Intermittently**

Military leave may be taken intermittently.

**517.7 Conflict With Work Schedule****517.71 Employee Alternatives**

An employee who has official duty orders or official notices signed by appropriate military authority for weekly, biweekly, or monthly training

meetings and who has a conflict with scheduled work requirements may choose one of four ways of meeting the military obligation.

- a. Use of military leave not in excess of 15 calendar days.
- b. Use annual leave.
- c. Use LWOP.
- d. Arrange a mutually agreeable trade of workdays and days off with another employee who is qualified to replace the absent employee. Such trades must be cleared with the responsible supervisor and must be in accordance with the terms of collective-bargaining agreements.

## 517.72 **Administrative Policy**

### 517.721 **Reassignments**

- a. Arbitrary reassignments of other employees are not made to permit absences of employees for military leave. An employee having military drills or military training responsibility should attempt to bid on a work assignment (when the opportunity presents itself) which will not conflict with military duties.
- b. Employees requesting a temporary schedule change must submit Form 3189 (with Form 3971) to the appropriate postal official at their installation. (See F-21, 232.23.)

### 517.722 **Rescheduling**

An employee desiring leave for military duty may be rescheduled if such action can be taken without increasing costs or adversely affecting the service to other employees. Every effort should be made to work out these problems as satisfactory as possible.

## 517.8 **Continuance of Night Differential Pay**

Employees regularly assigned in whole or in part to a night tour of duty are entitled to night differential pay when absent on military leave.

## 517.9 **Records Control**

### 517.91 **Form 3973**

Form 3973, *Military Leave Control*, provides installations with an official record of the amount of military leave used. Timekeepers or other officials responsible for processing time cards maintain a file of Form 3973. The forms are retained for 3 years after the end of the pay period in which the leave was taken.

### 517.92 **Monitoring Paid Military Leave**

Form 3973 is used to monitor paid military leave. As with annual leave and sick leave, military leave requested in excess of amounts provided in section 517 are automatically charged to LWOP. Offices must follow the procedures below to ensure that the payroll system functions effectively.

517.921

**517.921 Regular Paid Military Leave**

- a. *Full-Time Employees.* When full-time employees request regular paid military leave, i.e., for other than law enforcement duty, offices must check the AAD935P3 Report, *Military Leave Usage Report Qualified Employees*, to ascertain whether military leave has been credited. If it has not, offices must submit their requests for a credit of 120 hours military leave to Payroll Processing, Minneapolis Accounting Service Center.
- b. *Part-Time Employees.* For a part-time employee, installations should check the AAD935P4 report, *Part-Time Employees Potential Military Leave Report*, for the number of hours the employee is entitled to and submit a request for an advance of the hours authorized on the report.
- c. *Transfers From Other Agencies.* When an employee transfers from another federal agency, a transcript must be requested detailing hours in a pay status in the prior fiscal year and the military leave used in the current fiscal year. These hours are sent to Payroll Processing, Minneapolis Accounting Service Center, and will be used in addition to the hours on the AAD935P4 report to determine hours to be advanced.
- d. *Noncareer Employees.* Offices may not authorize paid military leave for noncareer employees.

**517.922 Paid Military Leave for Law Enforcement**

If a leave request is for law enforcement purposes, installations must submit a memorandum to Payroll Processing, Minneapolis Accounting Service Center, requesting credit of paid military leave for law enforcement purposes for the the number of hours requested, not to exceed 176 hours for a full-time employee or, for a part-time employee, the number of hours of law enforcement leave to which the employee is entitled as shown in the AAD935P4 report. If regular military leave has not been credited, follow the procedures for full-time employees.

**518 Holiday Leave****518.1 Observed Holiday**

The following 10 days are observed as holidays by the U.S. Postal Service.

- |                                       |                           |
|---------------------------------------|---------------------------|
| a. New Year's Day                     | January 1.                |
| b. Martin Luther King, Jr.'s Birthday | 3rd Monday in January.    |
| c. Washington's Birthday              | 3rd Monday in February.   |
| d. Memorial Day                       | Last Monday in May.       |
| e. Independence Day                   | July 4.                   |
| f. Labor Day                          | 1st Monday in September.  |
| g. Columbus Day                       | 2nd Monday in October.    |
| h. Veterans' Day                      | November 11.              |
| i. Thanksgiving Day                   | 4th Thursday in November. |
| j. Christmas Day                      | December 25.              |

**518.2 Holidays on Nonscheduled Workdays****518.21 Saturday**

When a holiday falls on a Saturday, the preceding Friday is observed as the holiday.

**518.22 Sunday**

When a holiday falls on Sunday, the following Monday is observed as the holiday.

**518.23 Nonscheduled Workday**

When an employee's nonscheduled workday falls on a day observed as a holiday, the employee's scheduled workday preceding the holiday shall be designated as that employee's holiday.

**518.3 Holidays on Scheduled Workdays**

Holidays falling on an employee's scheduled workday are observed on those days.

**518.4 Eligibility for Holiday Pay**

See 434.4.

**518.5 Rural Carriers and Substitutes****518.51 Rural Carriers**

Rural carriers are not required to report to post offices for any purpose on legal holidays. When a holiday falls on Sunday, the following Monday is observed. Rural carriers are not permitted to substitute any other day.

**518.52 Substitute Rural Carriers**

When the holiday falls on a service day for a triweekly route, the carrier is not required to serve until the next scheduled service day.

**518.6 Postmasters**

The following applies to all postmasters except those in EAS A–E offices. If a holiday falls on a Saturday which is a nonscheduled workday, the preceding Friday is designated as the postmaster's holiday. When necessary, additional workhour allowances are authorized for those post offices without a senior supervisor to provide relief coverage during the postmaster's absence on holiday leave (see 434.416).

**519 Administrative Leave****519.1 Definition**

*Administrative leave* is absence from duty authorized by appropriate postal officials without charge to annual or sick leave and without loss of pay.

**519.2 Events and Procedures for Granting Administrative Leave****519.21 Acts of God****519.211 General**

*Acts of God* involve community disasters such as fire, flood, or storms. The disaster situation must be general rather than personal in scope and impact. It must prevent groups of employees from working or reporting to work.

**519.212 Authorizing Administrative Leave for Acts of God**

- a. Postmasters and other installation heads have authority to approve administrative leave for up to 1 day.
- b. Customer Service district managers and PCES plant managers may authorize administrative leave beyond 1 day, but not to exceed a total of 3 days for their installation and those reporting to it.
- c. Customer Service district managers and senior or lead plant managers may approve administrative leave for periods up to and in excess of 3 days for their installation and those reporting to it.

**519.213 Determining the Cause of Absence**

Postmasters and other appropriate postal officials determine whether absences from duty allegedly due to "Acts of God" were, in fact, due to such cause or whether the employee or employees in question could, with reasonable diligence, have reported for duty.

**519.214 Early Dismissal Due to Acts of God**

When employees are dismissed from duty before the normal completion of their duty due to an "Act of God," the following applies:

- a. Full-Time Employees are entitled to credit for hours worked plus enough administrative leave to complete their tour of duty. This combination of work and leave is not to exceed 8 hours in any 1 day.
- b. Part-Time Regular Employees are entitled to credit for hours worked plus enough administrative leave to complete their scheduled hours of duty. This combination of work and leave is not to exceed 8 hours in any 1 day.
- c. Part-Time Flexible Employees are entitled to credit for hours worked plus enough administrative leave to complete their scheduled tour. The combination of straight time worked and administrative leave may not exceed 8 hours in a service day. If there is a question as to the scheduled workhours, the part-time flexible employee is entitled to the greater of the following:
  - (1) The number of hours the part-time flexible worked on the same service day in the previous service week; or
  - (2) The number of hours the part-time flexible was scheduled to work; or
  - (3) The guaranteed hours as provided in the applicable national agreement.

**519.215 Employees Prevented From Reporting**

Employees scheduled to report who are prevented from reporting or, who after reporting, are prevented from working by an "Act of God" may be excused as follows:

- a. Full-time and part-time regular employees receive administrative leave to cover their scheduled tour of duty not to exceed 8 hours.
- b. Part-time flexible employees receive administrative leave, subject to the 8-hour limitation, for their scheduled workhours, as provided in 519.214c.

**519.216 Employees on Annual Leave**

Employees on annual leave, sick leave, or LWOP remain in such status. They are not entitled to administrative leave.

**519.217 Substitute Rural Carriers**

Substitute rural carriers serving a vacant route or serving in absence of rural carriers on extended leave are treated the same as rural carriers:

- a. If they are scheduled for duty and are unable to report to the postal installation, administrative leave is granted for the full day that the employees are scheduled to serve their routes. No equipment maintenance allowance is paid.
- b. If employees are scheduled for duty and report to the postal installation but are unable to serve all or part of their routes through no fault of their own, they may be granted administrative leave for the remainder of the normal tour of duty for that day. Payment for equipment maintenance allowance is made, as employees are considered to be in duty status.

**519.22 Civil Disorders****519.221 Decision to Curtail or Terminate Postal Operations**

During times of civil disorders in communities, the postmaster or installation head determines whether conditions are such that postal operations are curtailed or terminated, taking into account the needs of the service, local conditions, and the welfare of postal employees.

**519.222 Civil Disorder Extends Beyond Three Days**

When civil disorder extends beyond 3 days and administrative leave is indicated as being necessary, prior approval is obtained through the Customer Service district manager, or senior or lead plant manager.

**519.223 Early Dismissal**

Employees dismissed early because of civil disorder are treated the same as for early dismissals for "Acts of God." See 519.214.

**519.224 Employees Prevented From Reporting**

Postmasters and installation heads are authorized to grant up to 3 days of administrative leave on a day-to-day basis to those employees who, through

519.23

no fault of their own, are prevented from reporting to work. The following applies:

- a. Full-time employees prevented from reporting in civil disorder situations are treated the same as employees in the "Act of God" situation. See 519.214a.
- b. Part-time flexible employees are not granted administrative leave except if scheduled to report but are prevented from doing so. Provisions in 519.214c apply.

519.23 **State and Local Civil Defense Programs**

519.231 **No Charge to Leave**

Full-time employees who volunteer and are selected by state or local authorities for civil defense assignments are authorized to participate in pre-emergency training programs and test exercises conducted by the state or local government. Participation in these activities during the employee's regularly scheduled tour of duty cannot exceed more than 40 hours of administrative leave in any 1 leave year.

519.232 **Annual or LWOP**

Employees who participate in civil defense activities other than those cited in 519.231 are granted annual leave or LWOP if it is possible to spare them without undue interference with the needs of the USPS.

519.233 **Availability for Civil Defense Assignment**

Employees are designated as available for assignment to civil defense activities subject to the following conditions:

- a. The employee's participation is requested by the state or local civil defense authorities.
- b. Within reason, the employee is expected to be available for assignment to civil defense activities in the event of an emergency.
- c. The employee can be spared from regular duties for the required periods of participation.

519.234 **Key Role Restriction**

Key roles in civil defense activities are *not* assigned to employees for whom a certificate of availability has been granted for military duty.

519.235 **Statement Requirement**

On return to duty, employees are required to submit a written statement from the state or local civil defense authorities showing days or hours of their participation.

519.24 **Voting or Registering to Vote**

519.241 **Policy**

Employees are encouraged to exercise their voting rights. So far as is practicable, without seriously interfering with Postal Service employees in the Postal Service, excluding casual and temporary employees who desire to vote or register in any election or in any referendum on a civic matter in their community are excused for a reasonable time for that purpose on a day they

are scheduled to work. Casual and temporary workers are encouraged to vote but are not eligible for administrative leave for this purpose.

519.242 **Administrative Determination**

Postal officials in charge of installations obtain necessary information concerning the hours during which the polls are open in the political subdivisions in which their employees reside. They then make an administrative determination regarding the amount of excused absence necessary (and limits in accordance with 519.243). Employees are notified of this determination and of the procedures to be followed in obtaining advance approval for the absence.

519.243 **Voting**

- a. *Three-Hour Rule.* As a general rule, if the polls do not open at least 3 hours either before or after an employee's scheduled hours of work, the employees may be excused for the length of time that permits them to report for work 3 hours after the polls open or to leave work 3 hours before the polls close, whichever requires the lesser amount of time off.
- b. *Exception to Three-Hour Rule.* Under exceptional circumstances, if the general rule in 519.243a does not permit sufficient time, an employee may be excused for the additional time needed to vote. However, time off must not exceed a full day.
- c. *Charge to Annual Leave/LWOP.* If an employee's voting place is beyond normal commuting distance and if voting by absentee ballot is not permitted, employees may be granted sufficient time off to be able to make the trip to the voting place to cast their ballots. When more than 1 day is required to make the trip to the voting place, postal officials observe a liberal policy in granting necessary time off for this purpose. Time off in excess of 1 day is charged to annual leave or, if annual leave is exhausted or the employee so requests, it is charged to LWOP.

519.244 **Registration**

If the employee votes in a jurisdiction that requires registration in person, time off to register is granted on substantially the same basis as for voting, except that no time is granted if registration can be accomplished on a nonworkday and the place of registration is within a (reasonable) 1 day, round trip travel distance of the employee's place of residence.

519.245 **Restrictions**

An employee is not allowed administrative leave for voting or registration during a period of absence on sick leave, annual leave, or LWOP pay.

519.25 **Blood Donations**

519.251 **Policy**

All postal employees are urged to cooperate fully with the public programs for the health and security of their community. The time necessary includes the time required for travel and the time required by the medical facility to process the blood donations.

**519.252 Time Allowed**

- a. *General Allowance.* Postal employees may be excused for that period of time deemed reasonably necessary to cover any absence from regular tours of duty to make voluntary blood donations, without remuneration to the Red Cross, or the community, or other nonprofit blood bank. This regulation does not apply to those employees who participate in this program on their own time, off duty.
- b. *Additional Time.* In the case of employees in occupations for which the blood bank recommends additional time off following the blood donation, the time necessary includes the additional time recommended by the blood bank. Every effort should be made to have blood donations for such employees scheduled near the end of their tour of duty.

**519.253 Restrictions**

- a. The time allowed may in no instance exceed 8 hours. A full day's administrative leave may be granted only when there are unusual circumstances, such as in rural areas where considerable travel may be involved. It is not intended that a full day's administrative leave be granted any employee for donating blood when the blood bank or facility is nearby.
- b. Administrative leave for blood donation may be granted during a regular tour of the employee's basic workweek, but only on the date of the blood donation. It is not granted to employees on suspension or in any nonpay status.

**519.254 Facility Arrangements**

For group donations, postmasters or installation heads make arrangements with the blood bank to provide facilities (mobile) for on-site participation or arrange the hours of donation to present the least interruption and cost to the service.

**519.26 Funeral Services****519.261 Absence of Veterans to Attend Funeral Services**

Full-time USPS employees (except rural carriers) who are veterans of any war, campaign, or expedition (for which a campaign badge has been authorized, see Exhibit 512.223a), or who are members of honor or ceremonial groups or organizations of such veterans, may be granted administrative leave, not to exceed 4 hours in any 1 day, to participate in funeral ceremonies for members of the Armed Forces of the United States whose remains are returned from abroad for final interment in the United States. Such participation is limited to service as active pallbearers or as members of firing squads or guards of honor. Absences in excess of 4 hours in any 1 day are charged to annual leave or to LWOP.

**519.262 Funeral of Immediate Relatives Who Died in Combat Zone**

Administrative leave not to exceed 3 days is granted to employees to make arrangements for, or to attend the funeral of, or memorial service for, an immediate relative who died as a result of wounds, disease, or injury incurred

while serving as a member of the Armed Forces of the United States in a combat zone. An *immediate relative* is defined as:

- a. Spouse and their parents.
- b. Children and their spouses.
- c. Parents.
- d. Brothers, sisters, and brothers-in-law and sisters-in-law (brothers and sisters of spouses and spouses of brothers and sisters).

#### 519.27 **Postmaster Organizations**

##### 519.271 **Conventions**

- a. *Time Limitation.* Up to 5 working days of administrative leave with pay is authorized for postmasters for the purpose of attending postmaster organization state and/or national conventions. These 5 working days (inclusive of travel time) may be used in a leave year as follows:
  - (1) For actual attendance at one postmaster organization's annual national convention, and/or at the postmaster organization's annual state or multi-state convention that is held for the district in which the postmaster's installation is located.
  - (2) For the travel time that is actually required by a postmaster in order to attend the national and/or state conventions, provided such travel time is also during a regularly scheduled workday.
- b. *Restriction.* Administrative leave is not authorized for any other meeting, including training sessions or any other meetings or conferences sponsored by the management organizations.
- c. *Advance Approval.* Application for the intended absence must be approved in advance by the USPS manager to whom the postmaster directly reports. Any request for annual leave or LWOP to supplement administrative leave must be approved in advance by the postal manager to whom the postmaster directly reports. The postmaster should complete a Form 3971, *Request for or Notification of Absence*, prior to taking such leave.
- d. *Verification of Attendance.* Supporting documentation such as hotel receipts and confirmation of convention registration may be requested by the postal manager to whom the postmaster reports following attendance at any state or national convention for which administrative leave has been extended.

##### 519.272 **Recording Leave at Time Card Offices**

Postmasters record their own leave. Administrative leave is recorded in the "OL" column. LWOP is recorded on time cards in the "WOP" column using the following symbols:

For National Conventions	N/(Number of Hours)
For State Conventions	S/(Number of Hours)
For Convention Travel	T/(Number of Hours)

**519.273 Travel or Per Diem**

The Postal Service does not pay the postmaster's travel or per diem expenses for travel to or attendance at conventions.

**519.3 Physical Examination for Entry Into Armed Forces**

Postal employees who are scheduled for physical examination for entry into the armed forces at times when they are also scheduled for postal duty are given administrative leave for the time necessary to take the examination.

**519.4 Relocation Leave****519.41 Policy**

An employee who is transferred or relocated in the interest of the Postal Service from one official station to another in the Postal Service is entitled to 5 days of administrative leave. The 5 days of administrative leave is not charged to any other leave. (See Handbook, F-10, *Travel*, 406.)

**519.42 Requirements**

An actual physical move of the employee's household is a requirement for eligibility for relocation leave. Therefore, employees who are relocated to another duty station in the same commuting area who do not move their households are not eligible. The following employees are entitled to 5 days of relocation leave with pay when directed to transfer or relocate:

- a. Employees who are transferred or relocated from one official duty station to another in the interest of the Postal Service.
- b. Employees who request and accept a transfer in lieu of a separation or demotion when separation or demotion is not for personal cause.

**519.43 Notation on Form 50**

If any leave is granted by the losing duty station, the number of days allowed is noted in Item 88 of the reassignment Form 50, *Notification of Personnel Action*. Before granting relocation leave, the gaining duty station reviews the losing station's Form 50 to determine the additional leave that may be allowed.

**519.44 Limitations**

Relocation leave may be taken before or after the physical move and may be taken a day or more at a time; it must be taken in whole days. In no instance does it exceed a total of 5 days. In the event that the employee later decides not to transfer to the new station, all relocation leave taken is charged to annual leave or LWOP.

**519.5 State, Local, and Religious Holidays — Exclusion**

Administrative leave is not granted for absence on religious or other holidays. To the fullest extent practicable, annual leave or LWOP is granted to employees for observance of their religious holidays.

**519.6 First-Aid Examination and Treatment for On-the-Job Injury or Illness****519.61 Employee on Regular Tour**

If an employee on a regular tour of duty is injured or becomes ill and the injury or illness can be treated so that the employee can return to duty during that tour, the employee is excused without charge to annual or sick leave. The employee is not required to clock out when leaving the place of duty for first-aid examination or treatment.

**519.62 Employee in Overtime Status**

When an employee is directed by management to an on- or off-site medical unit due to illness or injury, all time spent waiting for and/or receiving medical attention on the service day on which the illness or injury occurs, which would have been worked but for the medical attention, is credited as work time even though overtime hours may be involved. The employee's time card is so noted and initialed by the supervisor.

**519.7 Nonbargaining Personal Absence****519.71 Policy**

Nonbargaining exempt employees are paid on a salary basis; i.e., they receive a fixed salary for the workweek regardless of the number of hours worked or the quality of the work performed. They may be charged with annual leave, sick leave, LWOP, or any combination thereof, when they are absent from work for 1 or more full days. Except for leave taken in accordance with 515.61 and 515.62 (leave taken on an intermittent basis or by establishing a reduced work schedule because of a new son or daughter, because medically necessary to care for others, or because the employee is incapacitated), they cannot be charged with annual leave, sick leave, or LWOP on any service day in which they have workhours, court leave, military leave, holiday leave, administrative leave, or continuation of pay.

**519.72 Allowable Personal Absences****519.721 Four Hours or Less**

Nonbargaining exempt employees may be granted a personal absence during a service day of up to, but not to exceed, 4 hours without charging such absence to official leave.

**519.722 More Than Four Hours**

Nonbargaining exempt employees who intend to be absent from work for more than 4 hours on a workday should not report for work on that day and should take a full day of official leave. When an emergency occurs after an employee's arrival at work, personal absence in excess of 4 hours may be granted. Whenever FLSA overtime exempt employees work for any part of their normal workday, as provided in 519.71 above, they cannot be charged annual leave, sick leave, or LWOP.

**519.723 Directed to Work**

When exempt employees are directed to work a full day on a holiday or other full day in addition to normal workdays, the supervisor may grant a full day of personal absence without charging it to official leave.

**519.73 Administration****519.731 General**

Full-time exempt employees are expected to work a full day and part-time exempt employees are expected to work the full or partial day specified at the time of their employment. A full day is defined to include the continuous or nearly continuous time that an employee normally works in a 24-hour period.

**519.732 Approval**

The following procedures govern approval of requests for personal absence:

- a. Except for postmasters and installation heads, exempt employees must obtain prior approval of their supervisor for all absences whether or not such absences are to be charged to the employee's leave account. At the discretion of the installation head, Form 3971 *Request for or Notification of, Absence*, may be used to request personal absences not charged to leave. When used for personal absence, the Form 3971 must indicate in Remarks; "Do not charge to leave."
- b. Postmasters and installation heads normally are not required to obtain advance approval for personal absence. They are required, however, to keep an accurate record of all such absences and to generally keep their manager informed of planned periods away from the office. In this respect, the manager may require the use of Form 3971 to report the absence. On an individual basis, RPMGs may require that a postmaster or installation head obtain advance approval of all absences including personal absence from the MSC manager, or Field Division General Manager/Postmaster, as appropriate, when the individual's previous performance warrants such action.

**519.733 Full Day Leave**

Each full day of approved absence is to be charged to official leave. Absences such as court leave, military leave, holiday leave, injury on duty, continuation of pay, and all administrative leave are to be approved and recorded to an exempt employee's time card in hours and hundredths of an hour.

**519.74 Management Controls****519.741 Responsibility**

Managers are responsible for controlling the workhours of their exempt employees. They may require the attendance of these employees during and outside of regular service hours and, when warranted, are not required to approve advance requests for late arrivals, early departures, or other absences, as well as leave. These instructions are not intended to be overly restrictive, but managers must be aware of the frequency of requests for personal leave, recognize patterns in the use of this leave, and be alert to possible abuse. They must also give consideration to the amount of the

current workload or urgency of a particular program or project that requires the employee's presence.

519.742 **Administration**

This program must be administered in a fair and equitable manner. Managers must advise their employees of the reasons for requiring their attendance during, or outside of, regular service hours and for denying their requests for personal absence or leave. They are also to be given the opportunity to informally discuss the decision with the managers.