

Overview of Leave and Workplace Flexibilities

The Federal employee leave program is a dynamic system, evolving over the years to meet both the needs of employees and those of Federal agencies. Combined with other workplace flexibilities, the program has progressed to serve the contemporary workforce in a manner that is both generous to employees and responsive to agency mission requirements. The following provides the various benefits available to Federal employees. For more information, please see our full lists of [leave fact sheets](#), [work schedule fact sheets](#) and [premium pay fact sheets](#). Most programs below contain hyperlinks to further information.

I. ANNUAL, SICK, AND FMLA LEAVE

Annual Leave: may be used for any reason, including vacations, rest and relaxation, personal business or emergencies. An employee has a right to take annual leave, subject to the right of the supervisor to schedule the time at which annual leave may be taken.

- **Accrual**
 - Less than 3 years of service* (13 days per year)
 - 3 years but less than 15 years of service* (20 days per year)
 - 15 or more years of service* (26 days per year)
- **Includes military time except for most military retirees*
- Agencies may provide [service credit for annual leave accrual](#) purposes to a newly-appointed or reappointed employee for non-Federal or not-otherwise-creditable uniformed service work experience
- SES members, employees in SL/ST positions, and “[SES equivalent](#)” employees accrue 8 hours of annual leave each pay period regardless of years of service
- Maximum carryover (accumulation): 240 hours (most employees); 360 hours (certain overseas employees); or 720 hours (SES/SL/ST)

Advanced Annual Leave

- At its discretion, an agency may advance annual leave in an amount not to exceed the amount the employee would accrue in the leave year

Sick Leave: (see also [Sick Leave for Personal Medical Needs](#), [Sick Leave for Family Care and Bereavement](#), [Sick Leave to Care for a Family Member with a Serious Health Condition](#), and [Sick Leave for Adoption](#))

- **Accrual**—13 days accrual per leave year, regardless of years of service
 - **Carryover** (accumulation)—unlimited
 - **Use**— an agency must grant sick leave to an employee when he or she—
 - Receives medical, dental, or optical examination or treatment;
 - Is incapacitated for the performance of his or her duties by physical or mental illness, injury, pregnancy, or childbirth;
 - Provides care for a family member—
 - Who is incapacitated by a medical or mental condition or attends to a family member receiving medical, dental, or optical examination or treatment;
 - With a serious health condition; or
 - Who would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by that family member's presence in the community because of exposure to a communicable disease;
 - Makes arrangements necessitated by the death of a family member or attends the funeral of a family member;
 - Would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease; or
 - Must be absent from duty for purposes relating to his or her adoption of a child, including appointments with adoption agencies, social workers, and attorneys; court proceedings; required travel; and any other activities necessary to allow the adoption to proceed
- Note: any incapacity due to pregnancy or childbirth is considered a “serious health condition” for sick leave use purposes
- **Limits on use**—
 - Unlimited for employee’s own use
 - 13 days use for routine care of family members and for bereavement
 - 12 weeks (60 days) use for serious health condition of family member
 - Overall 12 weeks for all family-care purposes (routine and serious)

- Unlimited days may be used for purposes necessary for an adoption to proceed

Advanced Sick Leave: at its discretion, an agency may advance sick leave to an employee for the same reasons it grants sick leave to an employee

- Up to 240 hours (30 days) to a full-time employee—
 - Who is incapacitated for the performance of his or her duties by physical or mental illness, injury, pregnancy, or childbirth;
 - For a serious health condition of the employee or a family member;
 - When the employee would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease;
 - For purposes relating to the adoption of a child; or
 - For the care of a covered servicemember with a serious injury or illness, provided the employee is exercising his or her entitlement to FMLA leave to care for a covered servicemember
- Up to 104 hours (13 days) to a full-time employee—
 - For medical, dental or optical examination or treatment;
 - To provide care for a family member who is incapacitated by a medical or mental condition or to attend to a family member receiving medical, dental, or optical examination or treatment;
 - To provide care for a family member who would, as determined by the health authorities having jurisdiction or by a health care provider; jeopardize the health of others by that family member's presence in the community because of exposure to a communicable disease; or
 - To make arrangements necessitated by the death of a family member or to attend the funeral of a family member

Family and Medical Leave Act (FMLA):

- 12 weeks in any 12-month period for birth; adoption or foster care; serious health condition of employee or spouse, parent, or minor child of the employee (or child over 18 if incapable of self-care because of a mental or physical disability); or any qualifying exigency arising out of the fact that an employee's spouse, son, daughter, or parent is on (or has been notified of an impending call or order to) covered active duty in the Armed Forces

Note: any incapacity due to pregnancy or childbirth is considered a “serious health condition” for FMLA purposes

- 26 weeks for leave to care for a covered servicemember
- FMLA leave is generally leave without pay
- Employee may substitute annual leave and/or sick leave for unpaid FMLA leave, consistent with governing law and regulations

II. LEAVE TRANSFER PROGRAMS (donated annual leave)

Voluntary Leave Transfer Program (VLTP):

- Employees may donate annual leave directly to other employees with a personal or family medical emergency who have exhausted their own available paid leave
- Each agency must administer a VLTP
- Employees may participate concurrently in a VLTP and a VLBP

Voluntary Leave Transfer Program for Combat-Related Disability: similar to “regular” VLTP, but affected employees do not have to exhaust their own available paid leave before receiving donated annual leave

Voluntary Leave Bank Program (VLBP):

- Employees who join agency leave bank must contribute annual leave each year to be a member and become a leave recipient
- Donated annual leave available to leave bank members with a personal or family medical emergency who have exhausted their own available paid leave
- Agencies may choose to establish leave banks, but are not required to
- Employees may participate concurrently in a VLTP and a VLBP

Emergency Leave Transfer Program (ELTP):

- The President may direct OPM to establish an ELTP in the event of a major disaster or emergency (as declared by the President) that severely affects a large number of Federal employees. Examples include 9/11 and Hurricanes Katrina and Sandy
- Employees may donate annual leave to affected employees (or those with affected family members). Emergency can be loss to property or medical issue
- Recipients not required to exhaust their own available paid leave before receiving donated annual leave

III. OTHER LEAVE ENTITLEMENTS

Military leave

- 15 days per fiscal year for reservist and National Guard active duty, active duty training, and inactive duty training
 - At full pay
 - 15 days may be carried into the next fiscal year
- 22 days per calendar year for reservists and National Guard employees for certain emergency duty or to perform full-time military service as a result of a call or order to active duty in support of a contingency operation
 - Employee's civilian pay is reduced by the amount of military pay for the days of military leave
 - No carryover into next calendar year
- Unlimited days (but rare) for DC National Guard in limited circumstances. Employee's civilian pay is reduced by the amount of military pay for the days of military leave
- 44 days for Reserve and National Guard Technicians for certain types of overseas active duty

Bone marrow or organ donor leave

- Bone marrow donation—up to 7 days each calendar year
- Organ donation—up to 30 days each calendar year

Court leave

- Unlimited paid time off without charge to leave for service as a juror or witness
- Jury duty— for an employee summoned to serve as a juror
- Witnesses—for an employee summoned as a witness in a judicial proceeding in which the Federal, State, or local government is a party

Home leave

- May be granted at the discretion of the agency after 24 months of continuous service overseas, at a rate of 1 week for every 4 months of service, generally for use in the United States

Funeral leave

- 3 workdays of leave to make arrangements for or to attend the funeral of an immediate relative who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone

Shore leave (rare)

- 1 day for each 15 calendar days on extended voyages

Other Leave Without Pay (LWOP) - Entitlements

LWOP (or annual or sick leave) for medical appointments related to combat injuries (unlimited), Executive Order 5396, July 17, 1930

When receiving workers' compensation payments

When mobilized for active duty in the uniformed services (under USERRA)

24 Hours of Leave Without Pay for Family Support (see also CPM 2010-16 Extension of 24-Hour LWOP Family Support Policy to Same-Sex Domestic Partners of Federal Employees. Discretionary; not an entitlement) 24 hours of LWOP in a leave year for the following reasons:

- School and early childhood educational activities
- Routine family medical purposes
- Elderly relatives' health or care needs

Other LWOP—as negotiated under collective bargaining agreements

IV. EXCUSED ABSENCE

Excused Absence: Each department or agency has discretion to excuse employees from their duties without loss of pay or charge to leave. OPM advises that the granting of excused absence should be limited to those situations in which the employee's absence is not specifically prohibited by law and satisfies one or more of the following criteria—

- the absence is directly related to the department or agency's mission;
- the absence is officially sponsored or sanctioned by the head of the department or agency;
- the absence will clearly enhance the professional development or skills of the employee in his or her current position; or

- the absence is brief and is determined to be in the interest of the agency

Ultimately, it is the responsibility of each department or agency head to balance support for the activity with the need to ensure that employees work requirements are fulfilled and that agency operations are conducted efficiently and effectively. Agencies should review their internal guidance on excused absence and applicable collective bargaining agreements.

Presidential Memoranda (Examples of Excused Absence)

- President Clinton, [Memorandum on Preventive Health Services at the Federal Workplace](#), January 4, 2001, routine physical screenings (4 hours per year) if employee has less than 80 hours of accrued annual leave
- President Bush, [5 Days of Excused Absence for Employees Returning from Active Military Duty](#) November 14, 2003 (and several pieces of OPM guidance) 5 days (per activation) for reservists returning to Federal service after military service in support of the Overseas Contingency Operations as long as the deployment was for at least 42 consecutive days

General Government

- Dismissal for snow, hazardous weather, hurricanes, other emergencies (e.g., [Washington, DC, Area Dismissal and Closure Procedures](#))
- Building service interruptions
- [Voting](#) (if needed when polls are not open 3 hours either before or after employee's regular work hours)
- Blood donation (e.g., donation time, plus 4 hours per occurrence)

Individual Agencies

- [Volunteer activities](#) (in very limited and unique circumstances, as discussed in the hyperlinked guidance), including for [STEM activities](#)
- Miscellaneous (traffic delays)

V. OTHER PAID TIME OFF

Holidays

10 days per calendar year (plus additional, as granted by Presidential memorandum, such as Christmas Eve, or day of mourning for the death of a President)

Compensatory time off in lieu of overtime pay

- Time off with pay in lieu of overtime pay for irregular or occasional overtime work (i.e., scheduled after the start of an administrative workweek), or
- When permitted under agency flexible work schedule programs, time off with pay in lieu of overtime pay for regularly scheduled (i.e., scheduled in advance of an administrative workweek) or irregular or occasional overtime work
- Management may mandate the use of compensatory time off only for FLSA exempt (i.e., not covered) employees with pay greater than GS-10, step 10, and only in lieu of overtime pay for irregular or occasional work. FLSA non-exempt (i.e., covered) employees may never be ordered to take compensatory time off in lieu of overtime pay

Compensatory time off for travel

- Earned by an employee for time spent in a travel status away from the employee's official duty station when such time is not otherwise compensable
- Time in a travel status includes time spent traveling between the official duty station and a temporary duty station; time spent traveling between two temporary duty stations; and the "usual waiting time" preceding or interrupting such travel (e.g., waiting at an airport or train station prior to departure)

Compensatory time off for religious observances

- Provides an employee with the opportunity to adjust his or her work schedule when personal religious beliefs require that he or she abstains from work, if the employee's absence does not interfere with the efficient accomplishment of an agency's mission

Time off awards

- A time-off award is time off from duty, without loss of pay or charge to leave, granted to a Federal employee as an award in recognition of superior accomplishment or other personal effort that contributes to the quality, efficiency, or economy of Government operations
- Can be granted for an individual or a group achievement

VI. WORK SCHEDULES

Flexible Work Schedules

- Alternative Work Schedule (AWS) day off
- Flexible start/stop times and expandable midday breaks
- [Credit hours under a flexible work schedule](#)— When permitted under agency flexible work schedule programs, employee can earn an additional 24 hours to use for any purpose

Compressed Work Schedules

- Alternative Work Schedule (AWS) day off

Telework

- Telework gives employees more flexibility in meeting personal and professional responsibilities; it can offer freedom from office distractions, reduced work/life stress, and provide an alternative worksite setup that can be used in case of emergency
- It is being used more and more frequently to provide continuity of operations during Federal closures (e.g., weather related) and emergencies

Part-time Work Schedules

- Part-time career employment or job-sharing may also be appropriate for employees who request such arrangements
- Part-time career employment—
 - A part-time permanent employee has a career or career-conditional appointment (or a permanent appointment in the excepted service), works between 16 and 32 hours each week (or between 32 and 64 hours a pay period) on a prearranged schedule, and is eligible for fringe benefits
 - Part-time permanent employees are eligible, on a prorated basis, for the same benefits as full-time employees: leave, retirement, and health and life insurance coverage
- Job Sharing
 - Job sharing is a form of part-time employment in which the schedules of two or more part-time career employees are arranged to cover the duties of a single full-time position
 - Generally, a job sharing team means two employees at the same grade level but other arrangements are possible

- Job sharing does not necessarily mean that each job sharer works half-time, or that the total number of hours is 40 per week
- Job sharers are subject to the same personnel policies as other part-time employees