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Voluntary Leave Transfer Program

This guide is intended to assist Aeronautical Center and tenant employees and supervisors in administering the Voluntary Leave Transfer Program. The guide contains a summary of the regulations as well as the administrative processes to be followed for the program. This guide will be updated as necessary. It is not intended to replace actual regulations.

Purpose

The purpose of the Voluntary Leave Transfer Program is to allow employees to voluntarily donate annual leave to co-workers who are experiencing a personal or family medical emergency and do not have paid leave of their own available. This program gives employees the opportunity to assist their co-workers who would otherwise be faced with an absence from duty and a significant financial hardship.

This guide is published by the Office of Human Resource Management, Personnel Operations Division, AMH-200. If you have any questions concerning the content of this guide, or if you have suggestions for improvement, please contact AMH-200 at extension 45585.

Any provisions of a negotiated collective bargaining agreement shall be determined a valid exception to, and shall supersede any provisions of, this guide which are in conflict with the agreement provision.

Application to Become a Voluntary Leave Transfer Recipient

Any permanent employee may make written application to become a leave transfer recipient if he/she, or a member of his/her family, is experiencing an incapacitating medical condition which will cause (or is expected to cause) the employee to be absent from duty without available paid leave (disregarding any advanced leave) for 24 hours or more.

If an employee makes written application to become a leave recipient because of a personal medical emergency, he/she must exhaust all accrued annual and sick leave and still need to be absent from duty without available paid leave (disregarding any advanced leave) for 24 hours or more.

If an employee makes written application to become a leave recipient because of a family medical emergency, he/she must exhaust all accrued annual leave plus 40 hours of accrued sick leave in caring for the family member and still need to be absent from duty without available paid leave (disregarding advanced leave) for 24 hours or more. If the employee making written application due to a family medical emergency maintains a balance of at least 80 hours of sick leave, he/she must use up to a maximum of 104 hours of sick leave. The sick leave usage requirement to care for family members under the voluntary leave transfer program is identical to sick leave for dependent care available to all employees under the Family Friendly Leave Act.

The following chart can serve as a quick reference on the leave usage requirements for the voluntary leave transfer program.

	Personal Medical Emergency	Family Medical Emergency
Annual Leave	Must exhaust all accrued annual leave	Must exhaust all accrued annual leave
Sick Leave	Must exhaust all accrued sick leave	Must use minimum 40 hours accrued sick leave Must use maximum of 104 hours if accrued sick leave balance is maintained at 80 hours or above

The above sick leave usage requirements are based on full-time employment; part-time employees and employees with uncommon tours of duty should consult with their supervisor on the sick leave requirements to care for family members under the Leave Transfer Program.

A family member includes the following relatives of the employee: spouse, and parents thereof; children, including adopted children, and spouses thereof; parents;

brothers and sisters, and spouses thereof; and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

The written application must be made on Optional Form 630, Leave Recipient Application, which is available on page 15. This form may be reproduced locally. A copy of the form can also be obtained from the Organizational Effectiveness Division, AMH-400. The applicant must also submit medical certification of the medical emergency from a physician or other appropriate expert. If the employee is physically or mentally unable to complete the application, a personal representative may make the application on behalf of the employee.

The completed form is submitted to the applicant's immediate supervisor. Upon receipt of Optional Form 630, the immediate supervisor will review the application for completeness and appropriateness prior to forwarding to the approving official. The recommending official is the applicant's first-level supervisor; the approving official is the applicant's second-level supervisor.

A completed application is considered appropriate if the reason for the application is due to an incapacitating medical emergency that will cause (or is expected to cause) the applicant to be absent from duty without available paid leave (disregarding advanced leave) for 24 hours or more and the employee will exhaust all of his/her accrued annual leave, compensatory time, and the appropriate accrued sick leave. If these conditions are met, the application will be forwarded to the approving official. If the above conditions are not met, the applicant is not eligible for the program.

The approving official must notify the applicant in writing within 10 workdays after receipt of the application that it has been approved or disapproved. An approved application is distributed as follows:

a. One copy to the leave recipient.
b. One copy to the AC/CG Payroll Branch, AMZ-420
c. Original to the recipient's immediate supervisor.

If the application is disapproved, state the reason(s) on the reverse side of the application form, sign, and return the form to the applicant. An employee may submit a new application to become a leave recipient if the reason(s) for the initial disapproval change.

If the application is approved, the recipient's organization is responsible for ensuring employees are notified that they may donate annual leave to the recipient's account if they choose. Publicity of the recipient in the leave transfer program can only be done with the recipient's consent; therefore the application form must specify the extent of Aeronautical Center/tenant publicity. Publicity is normally accomplished by submitting an Intercom article to the Public Affairs Staff, AMC-5. A sample article is on page 18.

Application to Donate Annual Leave to a Leave Recipient

Any permanent employee may submit a voluntary written request to transfer a specified number of hours of his/her accrued **annual** leave to the account of a specified approved leave recipient. Leave donations must be made in increments of whole hours. Donations are limited to no more than half of the amount of annual leave a donor would be entitled to accrue during the leave year the donation is made or the number of hours remaining in the leave year (as of the date of the transfer) for which the leave donor is scheduled to work.

To donate annual leave to an employee at the Aeronautical Center (including tenants), the donor should submit a completed Optional Form 630A, Request to Donate Annual Leave to Leave Recipient (Within Agency), which is available in page 16, to the recipient's organization. This form may be reproduced locally. The recipient's organization will review the application for completeness and insure the applicant is not donating to an immediate supervisor which is prohibited. The form is then forwarded to the AC/CG Payroll Branch, AMZ-420. A copy of the form should be kept by the recipient's organization.

If Optional Form 630A is not available, an employee may submit a memorandum to the recipient's organization. The memorandum must include the donor's name, social security number, the number of whole hours of annual leave to be donated, the name of the leave transfer recipient to whom the annual leave is donated, and the signature of the individual donating the annual leave.

To donate annual leave to an employee of another FAA employing jurisdiction, the donor must submit a completed Optional Form 630A, Request to Donate Annual Leave to Leave Recipient (Within Agency), to the donor's immediate supervisor. The donor's immediate supervisor will review the application for completeness. The form is then distributed as follows:

a. One copy to the leave recipient's servicing personnel office.
b. One copy to the organization's files.
c. Original to the AC/CG Payroll Branch, AMZ-420.

To donate annual leave to an employee outside the FAA, the donor must submit a completed Optional Form 630B, Request to Donate Annual Leave to Leave Recipient (Outside Agency), which is available on page 17, to the donor's immediate supervisor. This form may be reproduced locally. The donor's immediate supervisor will review the application for completeness and complete Part B of the form. The form is then distributed as follows:

a. One copy to the leave recipient's servicing personnel office.
b. One copy to the organization's files.
c. Original to the AC/CG Payroll Branch, AMZ-420.

Donations of annual leave should be processed as soon as possible to avoid any leave without pay for the leave recipient.

Use of Donated Annual Leave

A leave recipient may use annual leave transferred to his/her annual leave account under the Leave Transfer Program only for the purpose of the medical emergency for which the leave recipient was approved.

The maximum amount of leave that may be accrued by full-time employees while using donated leave under the Leave Transfer Program is limited to a total of 40 hours of sick leave and 40 hours of annual leave. Leave earned while in a donated leave status will be credited to separate leave accounts until the leave recipient exhausts all donated leave or the medical emergency terminates. However, leave earned while in a donated leave status may be used by the employee if he/she exhausts all donated annual leave and must still be off work.

The names of leave donors shall not be released to the leave recipient or any other individual without the written permission of the leave donors.

Donated annual leave will be shown on the leave recipient's Statement of Earnings and Leave in the same manner as accrued annual leave. The Remarks section on the Time and Attendance Report shall reflect the following statement: "Using ____ Hours of Donated Annual Leave".

Termination of Medical Emergency

The medical emergency affecting a leave recipient terminates when:

a. The recipient's Federal service is terminated, OR

b. At the end of the pay period in which the leave recipient's organization receives written notice from the recipient that he/she is no longer affected by the medical emergency, OR

c. At the end of the pay period in which the approving official determines the recipient is no longer affected by the medical emergency (written notice to the recipient giving them an opportunity to respond orally or in writing is required), OR

d. At the end of the pay period in which the recipient's organization receives notice of an approved application for disability retirement.

The recipient's immediate supervisor shall continuously monitor the status of the medical emergency to insure the leave recipient continues to be affected by it. When the medical emergency has terminated, the recipient's immediate supervisor shall send written notification to the AC/CG Payroll Branch, AMZ-420.

When the medical emergency terminates, no further requests for annual leave donations may be granted and any unused transferred annual leave remaining to the credit of the leave recipient shall be restored to the leave donors.

Restoration of Transferred Annual Leave

Transferred annual leave remaining to the credit of a leave recipient when the medical emergency terminates will be restored to the donors, to the extent administratively feasible, if they remain employed by a Federal agency on the date leave restoration is made. The amount of unused leave to be restored to the leave donors will be computed by the AC/CG Payroll Branch, AMZ-420, using a formula contained in OPM Bulletin 630-53, dated February 27, 1989. When the computation is completed, AMZ-420 will inform the leave recipient's organization of the amount of donated annual leave to be restored to each donor.

The leave recipient's organization must contact each donor who is eligible to receive restored annual leave to determine his/her preferred use of the restored annual leave. Once the donor has informed the leave recipient's organization of his/her preference for the restoration, the leave recipient's organization will notify AMZ-420 of each leave donor's preference in order for AMZ-420 to actually restore the annual leave to the leave donor. Pages 19 and 20 provide sample memorandums for restoring unused transferred donated leave.

Donor Options:

Donors eligible to receive restored annual leave have the following options available to them:

a. Crediting the restored leave to the donor's annual leave account during the current leave year.

b. Crediting the restored leave to the donor's annual leave account effective as of the first day of the first leave year beginning after the date this option is elected.

c. Donating the leave in whole or part to another leave recipient.

If the donor elects to donate only part of the restored leave to another recipient, the donor may elect to have the remaining leave credited to his/her annual leave account under options a or b above.

Annual leave that is restored to the donor's account is subject to normal end of year limitations at the end of the leave year in which the restored leave is credited.

Records and Reports

Each leave recipient's organization must maintain ongoing records for periodic OPM and Headquarters reporting requirements. Each organization is responsible for setting up procedures for maintaining these records either manually or by use of automation. Records must include the following information:

a. Total number of applications to be a leave recipient that were approved for reasons of medical emergencies affecting the employee's family member.

b. Total number of applications to be a leave recipient that were approved for medical emergencies affecting the employee.

c. The grade of each leave recipient and leave donor.

d. The total amount of annual leave transferred to each leave recipient.

e. Total number of disapproved applications.

In addition, organizations must maintain a record of any employee who donates annual leave to an employee in a different employing jurisdiction within the FAA or who donates annual leave to an employee in a different agency.

Voluntary Leave Transfer Program Questions and Answers

Q. WHO IS ELIGIBLE TO PARTICIPATE IN THE PROGRAM?

A. Any FAA employee on a permanent appointment who is experiencing a personal or family medical emergency is eligible. The medical emergency must be supported by a physician's statement, and it must be determined that the absence from duty without available paid leave, excluding advanced leave, is, or is expected to be, at least 24 hours.

Q. WHAT IS A MEDICAL EMERGENCY AS DEFINED BY THE LEAVE TRANSFER PROGRAM?

A. A medical emergency means a medical condition of an employee, or an employee's family member, which is chiefly beyond his/her own control. This condition is likely to require the employee's absence from duty for a prolonged period of time and to result in a loss of income to the employee because of the unavailability of paid leave, excluding advanced leave.

Q. WHO APPROVES REQUESTS FOR PARTICIPATION IN THE PROGRAM?

A. Authority has been delegated to an employee's second-level supervisor.

Q. HOW WILL I KNOW THE STATUS OF MY APPLICATION?

A. Applicants will be notified of approval or disapproval within 10 working days after the date the application is received by the approving official.

Q. WHAT FACTORS ARE CONSIDERED IN APPROVING AN APPLICATION TO BECOME A LEAVE RECIPIENT?

A. An application will be approved if the approving official determines that a medical emergency exists which is chiefly beyond the control of the employee and that the employee is, or is expected to be, absent from duty without available paid leave (excluding advanced leave) for at least 24 hours.

Q. MUST AN EMPLOYEE EXHAUST ALL OF HIS/HER ACCRUED LEAVE BEFORE USING DONATED LEAVE?

A. If an employee requests to become a leave recipient because of a personal medical emergency, all accrued annual leave, sick leave, and compensatory time must be exhausted before using donated annual leave. If an employee requests to become a leave recipient because of a family medical emergency, he/she must use all accrued annual and compensatory leave. In addition, the employee must use 40 hours of accrued sick leave. An employee who maintains a sick leave balance of at least 80 hours will be required to use up to a maximum of 104 hours of sick leave. In the case of a part-time employee, the amount of sick leave to be used is based on the

average number of hours of work in the employee's scheduled tour of duty each week.

Q. HOW ARE DONORS FOUND?

A. When an application to become a recipient in the leave transfer program is approved, other employees are notified that they may donate leave to the recipient if they choose. This notification is normally made by an article in the Intercom, but notification can be restricted at the recipient's request. The recipient's name, nature of medical emergency and the expected time the recipient needs to be away from duty is usually included in the article.

An employee may not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right such employee may have with respect to donating, receiving, or using leave under the leave transfer program.

Q. HOW WILL A RECIPIENT KNOW IF LEAVE IS DONATED?

A. Employees wishing to donate annual leave to a recipient will send the appropriate form to the recipient's organization. The recipient's organization will periodically inform the recipient of the number of hours donated. The identity of the donors is treated as privileged information and may not be disclosed.

Q. I HAVE NO LEAVE AVAILABLE AND I AM SCHEDULED TO UNDERGO COSMETIC SURGERY. CAN I BECOME A LEAVE RECIPIENT?

A. The intent of the program is to be used chiefly in cases in which the employee's absence results from circumstances beyond his/her own control and in situations in which the employee is facing economic consequences because of the unavailability of paid leave, excluding advanced leave. The program is not intended for use by an employee who undergoes elective cosmetic surgery.

Q. CAN I BECOME A LEAVE RECIPIENT FOR MATERNITY REASONS?

A. Yes. The regulations allow the program to be used for maternity situations.

Q. CAN MY FAMILY AND FRIENDS EMPLOYED IN OTHER FEDERAL AGENCIES DONATE THEIR ANNUAL LEAVE TO ME?

A. A leave recipient's organization will accept the transfer of annual leave from leave donors employed by other agencies when: (1) a family member of a leave recipient is employed by another agency and requests the transfer of annual leave to the recipient; or, (2) in the judgment of the recipient's organization, the amount of annual leave transferred from leave donors employed by the FAA may not be sufficient to meet the needs of the recipient; or, (3) in the judgment of the recipient's organization,

acceptance of leave transferred from another agency would further the purpose of the voluntary leave transfer program.

Q. I HAVE FILED A CLAIM WITH THE OFFICE OF WORKER'S COMPENSATION PROGRAM (OWCP) WHICH HAS NOT YET BEEN APPROVED. CAN I BECOME A LEAVE RECIPIENT?

A. Yes. The voluntary leave transfer program and the worker's compensation programs are not mutually exclusive. However, if your OWCP claim is approved and you decide to "buy back" annual or sick leave, the amount of transferred annual leave you buy back is restored to the donors.

Q. AS A LEAVE RECIPIENT, DO I ACCRUE LEAVE OF MY OWN?

A. A leave recipient earns annual and sick leave at the same rate as if in a paid leave status. The maximum amount that a full-time recipient can accrue while using donated annual leave is limited to a total of 40 hours of sick leave and 40 hours of annual leave. For part-time employees, the maximum amount of sick and annual leave that may be accrued is prorated. This leave goes into a separate account and is available for use by the employee only after he/she exhausts all donated leave and the medical emergency continues or after the medical emergency terminates.

Q. WHAT HAPPENS IF I AM ABLE TO WORK PART TIME WHILE IN THE PROGRAM?

A. If a recipient is able to work temporarily or on a part-time basis while in the program, annual and sick leave accruals continue and are added to the recipient's regular balances. This leave must be used before using any additional donated annual leave.

Q. HOW DOES A RECIPIENT TERMINATE PARTICIPATION IN THE PROGRAM?

A. When the medical emergency ends, the employee submits a written notification to his/her approving official. Once the notification is received, no further donations will be accepted.

Q. HOW DO I DONATE LEAVE?

A. If you are donating leave to an Aeronautical Center or tenant organization leave recipient, you should submit a completed Optional Form 630A to the leave recipient's organization. If the optional form is not available, a donor may submit a written request containing the donor's name and social security number, the number of whole hours to be donated, and the name and routing symbol of the leave recipient to whom the leave is donated. The request must also contain the signature of the leave donor. If you are donating leave to an FAA employee not serviced by the Aeronautical Center, you must submit a completed Optional Form 630A to your immediate supervisor. If you are donating leave to a recipient employed by another Federal agency, you must submit Optional Form 630B to your immediate supervisor.

Q. CAN SICK LEAVE OR COMPENSATORY TIME BE DONATED TO A RECIPIENT?

A. No. Donations of leave are limited to annual leave.

Q. HOW WILL MY DONATION BE SHOWN ON MY EARNINGS AND LEAVE STATEMENT?

A. Deductions of donated annual leave will be reflected in the beginning balance and the current balance on the Earnings and Leave Statement.

Q. IS THE VALUE OF DONATED LEAVE ADJUSTED ACCORDING TO GRADE?

A. The leave recipient is credited with one hour of leave for each hour donated. When the leave is taken, the recipient receives their basic rate of pay regardless of the donor's pay rate.

Q. HOW IS DONATED LEAVE TO BE USED?

A. Donated annual leave received by a recipient may be used only for the purpose of the medical emergency for which the recipient was approved. It may be used to liquidate an indebtedness for advanced annual or advanced sick leave used in connection with the medical emergency and may be substituted retroactively for periods of leave without pay associated with the medical emergency.

Q. CAN DONATED LEAVE BE USED AS A LUMP SUM PAYMENT FOR THE RECIPIENT?

A. Transferred annual leave may not be included in any lump sum payments.

Q. CAN DONATED LEAVE BE TRANSFERRED TO A RECIPIENT OTHER THAN THE ONE I HAVE DESIGNATED?

A. If you request in writing, transferred annual leave that is unused by the original recipient may be donated to another recipient.

Q. ARE THERE LEAVE DONATION LIMITATIONS?

A. Yes. You may donate no more than half of the amount of annual leave you would accrue during the leave year in which you make the donation. You may not donate to your immediate supervisor. In addition, in donating annual leave toward the end of the leave year, you may only donate the number of hours remaining in the leave year as of the date of the transfer for which the leave donor is scheduled to work and receive pay. Transferred annual leave may accumulate in the leave recipient's account, however, without regard to the usual end of year limitations.

Q. WHAT HAPPENS TO UNUSED DONATED LEAVE?

A. When a medical emergency terminates, unused donated annual leave remaining to the recipient's credit is prorated and restored to the donor if they are still Federally employed on the date of restoration.

Q. MAY A DEDUCTION FOR DONATED LEAVE BE CLAIMED ON FEDERAL INCOME TAX?

A. The Internal Revenue Service has ruled that donors cannot claim donated leave as an expense or loss. However, when recipients use donated leave, the salary received is considered income (wages) for the recipient.

SAMPLE INTERCOM ARTICLE FOR PUBLICIZING LEAVE RECIPIENT

John Q. Smith, a program analyst in the XYZ Division (XYZ-123), has been approved as a
(enter name, title, and organization of leave recipient)

leave recipient under the voluntary leave transfer program. Mr. Smith has undergone
(enter a brief

cancer surgery and is unable to work for at least 8 weeks.
description of the leave recipient's medical emergency)

Employees wishing to donate annual leave to Mr. Smith should use Optional Form

630A, Request to Donate Annual Leave to Leave Recipient, or write to XYZ-123. Include
(enter organization)

your name, organization, social security number, the specific number of whole hours to

be donated, and the name of the individual to whom the leave is donated. Your

signature must also appear on the request. Contact Mary Citizen, x4-9876, if you have
(enter organizational contact)

questions.