

FmHA Instruction 2066-A
Exhibit A

GUIDELINES FOR DETERMINING ELIGIBILITY FOR LEAVE

TYPE OF LEAVE		SITUATION	
A FULL-TIME OR PART-TIME EMPLOYEE IS ELIGIBLE FOR . . .		IF THE EMPLOYEE IS . . .	AND . . . AND
1) <u>Annual Leave</u> (See §2066.2)		serving in a Federal function under Federal appointment and supervision	has an appointment for a period of 90 days or more
2) <u>Sick Leave</u> (See §2066.7)		serving in a Federal function under Federal appointment and supervision	presents evidence acceptable to his/her supervisor that his/her absence results from one of the reasons for which sick leave is authorized
3) <u>Pay for actual duty status</u> - no leave required (See §2066.12)	a)	summoned as a witness for any party other than the United States;	appears in official capacity of his/her present or a former Federal position
	b)	summoned as a witness for the United States	appears in either an official or nonofficial capacity concerning matters outside his/her regular employment
4) <u>Court leave for Witness service</u> (See §2066.12)		summoned as a witness for a State or local government	appears in a nonofficial capacity concerning matters outside his/her regular employment

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<u>TYPE OF LEAVE</u>		<u>SITUATION</u>	
<u>A FULL-TIME OR PART-TIME EMPLOYEE IS ELIGIBLE FOR . . .</u>		<u>IF THE EMPLOYEE IS . . .</u>	<u>AND. . .</u>
5) <u>Annual leave or LWOP</u> (See §2066.12)	summoned as a witness for a party other than U.S., a State, or a local government	appears in other than his/her official capacity	would otherwise have been in duty status or on paid leave
6) <u>Court leave for jury service</u> (See §2066.12)	summoned for jury service	would, except for jury service, have been in duty or <u>paid</u> leave status	presents a certificate from a local, State, or Federal court showing his/her period of service as juror
7) <u>Official leave for voting or registration</u> (See §2066.12)	absent to vote or register in an election or in a referendum on civic matters	votes or registers at a location which is not open at least 3 hours either before or after his/her scheduled work hours	would otherwise have been in a duty status or on paid leave
8) <u>Official leave for attending or participating in a funeral</u> (See §2066.12)	a) an immediate relative of a member of the Armed Forces who died as a result of a wound, disease, or injury incurred in a combat zone; or	needs and requests time to make arrangements for, or to attend, the funeral or memorial services of the immediate relative	in all cases (a and b) would otherwise have been in a duty status or on paid leave
	b) a veteran of any war, campaign, or expedition for which a campaign badge has been authorized	participates as a pallbearer, member of a firing squad, or honor guard at a military funeral	
9) <u>Official leave for Civil Defense Activities</u> (See §2066.12)	absent to participate in Federally recognized Civil Defense programs	would otherwise have been in a duty status or on paid leave	

GUIDELINES FOR DETERMINING ELIGIBILITY FOR LEAVE

TYPE OF LEAVE		SITUATION	
A FULL-TIME OR PART-TIME EMPLOYEE IS ELIGIBLE FOR . . .		IF THE EMPLOYEE IS . . .	AND. . .
10) <u>Official leave for blood donation</u> (See §2066.12)		absent to make a blood donation	receives no pay for the blood donated
			would otherwise have been in a duty status or on a paid leave
11) <u>Official leave for job qualification examination</u> (See §2066.12)		absent to take an examination	is taking an examination for a position he/she now occupies or to which he/she is recommended for promotion, reassignment, or transfer
			would otherwise have been in a duty status or on paid leave
12) <u>Official leave for obtaining a professional license or certification</u> (See §2066.12)		absent for an examination required to obtain a professional license or certification	occupies a position for which acquisition of the license or certificate would be advantageous to the Government
			would otherwise have been in a duty status or on paid leave
13) <u>Official leave for physical examination</u> (See §2066.12)	a)	absent to take a physical examination in connection with his/her appointment	is being appointed subject to a satisfactory physical examination
	b)	absent to take a physical examination, other than one required for appointment	is required by FmHA to take the examination
	c)	required to take a physical examination for induction or enlistment in the Armed Forces	is not placed in active duty status for the time required to take the examination by the military authority

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A FULL-TIME OR PART TIME EMPLOYEE IS ELIGIBLE FOR . . .		IF THE EMPLOYEE IS . . .	AND. . .
14) <u>Official leave for draft registration</u> (See §2066.12)	required to report for draft registration	would otherwise have been in a duty status or on paid leave	
15) <u>Official leave for emergency rescue or protective work</u> (See §2066.12)	absent to participate in emergency rescue or protective work in a civilian capacity	would otherwise have been in a duty status or on paid leave	presents evidence acceptable to his/her supervisor that he/she performed emergency duty that was in the interest of the public welfare
16) <u>Official leave of up to 2 hours prior to or after official travel</u> (See §2066.12)	departing from or returning to his duty station in connection with official travel	departs or returns at a time of day and under circumstances which his/her supervisor determines justifies his/her not reporting for duty before or after travel	
17) <u>Official leave for change of official station</u> (§2066.12)	making a change of station in the interest of the Government which requires relocation of his/her family residence	completes the required service agreement	
18) <u>Official leave for attendance at employee organization meetings</u> (§2066.12)	a representative of the employee organization	attends a meeting of the employee organization at which matters of mutual concern to FmHA and the organization are presented	presents evidence to his/her supervisor of the matters to be discussed
19) <u>Official leave for attendance at conference or meeting</u> (§2066.12)	requesting permission to attend a conference or meeting	presents evidence to his/her supervisor by which the supervisor determines the attendance will serve the interest of the Government	

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TYPE OF LEAVE		SITUATION	
A FULL-TIME OR PART TIME EMPLOYEE IS ELIGIBLE FOR . . .		IF THE EMPLOYEE IS . . .	AND. . .
20) <u>Official leave for tardiness or brief absences</u> (\$2066.12)	tardy or briefly absent from duty for less than 1 hour	presents to his/her supervisor reasons for the absence which the supervisor determines are adequate to justify excusing the absence.	
21) <u>Military leave not to exceed maximum period specified</u> (\$2066.13)	serving under an appointment which is permanent, indefinite, or temporary pending establishment of Register (TAPER)	is a member of the National Guard, or a reserve component of the Armed Forces	presents a copy of his/her military orders to report for active duty for training, emergency, or induction
22) <u>Home leave</u> (\$2066.21)	a citizen employee entitled to accumulate and carry over up to 45 days of annual leave at the end of the leave year	completes the required periods of service overseas	

GUIDELINES FOR DETERMINING ELIGIBILITY FOR ADVANCE SICK LEAVE

CONDITIONS			RESULTS
IF AN EMPLOYEE . . .	AND . . .	AND . . .	THEN
Is serving under an unlimited, nontemporary appointment.	Is suffering from a serious disability or serious ailment.	Plans to return to duty or has applied for disability retirement.	The supervisor may advance the employee up to 40 hours of sick leave. 1/
Is serving under a limited or temporary appointment.	Is suffering from a serious disability or serious ailment.	Plans to return to duty.	The supervisor may advance sick leave only in the amount that employee will earn during the remaining period of employment. 1/
Meets the criteria in conditions 1 or 2 above.	Has received notice of a reduction-in-force.		The employee must immediately stop using any sick leave already advanced. No additional sick leave may be advanced.
Meets the criteria in condition 1 above.	Has received approval from the Office of Personnel Management for disability		The employee must immediately stop using sick leave already advanced before approval. No additional sick leave may be advanced.
Has been advanced sick leave.	Has not liquidated the total amount advanced by the end of the leave year.		The hours for which he/she is indebted shall be carried forward to the leave year.

1/ Sick leave may be advanced whether or not the employee has annual leave credit. Advanced sick leave in excess of 40 hours must be approved by the appropriate official identified in §2066.7 (i) (1).

GUIDELINES FOR REPORTING LEAVE DURING EMPLOYEE ABSENCES FOR COURT OR COURT-RELATED SERVICES

Nature of service	Type of absence		Fees		Government travel expenses			
	Court leave <u>1/</u>	Official duty	Annual leave or LWOP	No	Yes		No	Yes <u>2/</u>
					Retain	Turn in to agency		
I Jury Service								
(A) U.S. or D.C. Court..	X	.....	.....	X	.....	.....	X	.....
(B) State or local Court.	X	.....	.....	...	.....	X	X	.....
II Witness Service								
(A) On behalf of U.S. or D.C. government.....	--	X	.....	X	.....	.....	...	X
(B) On behalf of State or local government	--							
(1) In official capacity	--	X	.....	...	.....	X	...	X
(2) Not in official capacity	X	.....	.....	...	.....	X	X	.....
(C) On behalf of private party								
(1) In official capacity	--	X	.....	...	.....	X	...	X
(2) Not in official capacity								
(a) When a party is U.S., D.C., or State or local government	X	.....	.....	...	.....	X	X	.....
(b) when a party is not U.S., D.C., or State or local government.....	--	.....	X	...	X	.....	X	.....

1/ An employee eligible for court leave who is on annual leave or sick leave when called for witness service shall have court leave substituted for the period of witness service. If an employee who is otherwise eligible for court leave is in nonpay status (furlough, leave without pay, etc.) when he/she is called for witness service, the employee cannot be granted court leave.

2/ Offset to the extent paid by the court, authority, or party which caused the employee to be summoned.

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GUIDELINES FOR REPORTING EMPLOYEE'S STATUS DURING PERIODS
OF EXCUSED ABSENCE

IF AN EMPLOYEE . . .	THEN REPORT			
	On Official Leave	Autho- rized absences	In Duty Status	In Nonpay Status
1 Is notified in advance that his work cannot be suspended or interrupted during an emergency when other employees are excused, and:				
a Works during the excused period . . .			X 1/	
b Does not work during the excused period		X		
2 Is on other scheduled leave at the time notice is given excusing employees from reporting, or dismissing them early, and:				
a Is not expected to return to duty before close of the workday . . .		X 2/		
b Is expected to return to duty before close of workday . . .	X 3/	X 4/		
3 Is on other scheduled leave both the day before and the day after the day on which other employees were excused . . .		X		
4 Reports for duty, but goes on other leave prior to time official notice is received excusing employees . . .		X 2/		
5 Is on duty at the time notice of early dismissal is received, but goes on other leave between the time of the notice and time of early dismissal . . .	X 3/	X 4/		
6 Is intermittent and works during the excused period . . .			X 1/	
7 Is intermittent and does not report for duty on a day when employees generally are excused from reporting . . .				X
8 Is intermittent on duty at the time of early dismissal and would otherwise have worked until the end of the workday . . .				X
9 Is not on scheduled leave but has not reported for duty at the time of early dismissal . . .		X		
10 Is on duty at the time of early dismissal and is not excluded under one of the above conditions	X			
11 Is not on scheduled leave on a day for which employees are excused from reporting for work, and is not excluded under item 1, above.	X			
1/ Employees who work during periods of excused absences shall receive only their basic rate of a pay for nonovertime hours worked.				
2/ Authorized absences shall be charged from the time scheduled leave began to the end of the workday.				
3/ Official leave shall be granted from the time of dismissal to the end of the workday.				
4/ Authorized absences shall be charged from the time scheduled leave began to time of dismissal.				



United States
**Office of
Personnel Management**

FmHA Instruction 2066-A
Exhibit E
Page 1
Washington, D.C. 20415

In Reply, Refer To

Your Reference

NOV 2 1987

MEMORANDUM TO DIRECTORS OF PERSONNEL

FROM:

Claudia Cooley
Claudia Cooley
Associate Director
for Personnel Systems
and Oversight

SUBJECT: Residential Zone Dismissal Plan for
Washington, D.C., Area Federal Employees

On September 30, local government officials, meeting under the auspices of the Metropolitan Washington Council of Governments (COG), adopted a Regional Snow Emergency Plan. The new plan, which becomes operational only when a major storm is expected to bring four or more inches of snow within 24 hours, provides for close consultation among local governments, METRO, OPM, and highway departments on when employees should report for work and whether they should leave early. However, the Federal Government and local governments will continue to make separate decisions affecting their own workforces.

Most elements of the new regional plan do not affect Federal agencies and employees directly. The regional plan does, however, include a new COG-designed "Residential Zone Dismissal Plan" for use if employees must be sent home early. OPM has agreed to adopt this new employee dismissal plan for Federal agencies and employees in the Washington, D.C., area.

The Residential Zone Dismissal Plan represents a significant change for Federal employees. As its name implies, the COG plan affects employees according to where they live, not where (or for whom) they work. Employees whose homes are the most distant from the city center will go home first. This "residential" approach addresses a major shortcoming of the previous Federal "agency-by-agency" (or "staggered") dismissal plan--that of cross-agency carpooling. While employees frequently carpool with people who work in other agencies (and who might be dismissed at other times), they are likely to carpool with people who live near them.



Each employee can easily determine his or her Residential Zone:

Zone 1 residents live beyond Montgomery, Prince Georges, and Fairfax Counties.

Zone 2 residents live in portions of Montgomery, Prince Georges, and Fairfax Counties that lie outside the Beltway.

Zone 3 residents live inside the Beltway, but outside the District of Columbia.

Zone 4 residents live in the District of Columbia.

When a decision is made to send Federal workers home early, OPM will inform agencies of the dismissal time for Zone 1 residents. (The dismissal time for Zone 1 residents will be at least 1 hour after METRO and traffic officials have been notified to prepare for an outbound rush.) Employees who live in the other Zones should leave at half-hour intervals thereafter. OPM encourages Federal agencies and employees to support the Residential Zone Dismissal Plan by acquainting all employees with the plan well in advance of the snow season and by adhering to its departure times.

The Residential Zone Dismissal Plan has been incorporated in a revision of the Washington, D.C., area emergency dismissal or closure procedures. A copy of the revised procedures is attached for your information. This guidance supersedes the guidance now found in FPM Letter 610-7 (December 1, 1983), which will be revoked, and in Appendix A, Book 610, FPM Supplement 990-2, which will be revised to delete the Washington, D.C., area procedures. These procedures deal with a variety of emergency situations, including snow emergencies, severe icing conditions, floods, earthquakes, hurricanes, air pollution, power failures, and interruption of public transportation. This guidance also establishes procedures for dealing with emergencies that arise before normal working hours. In addition to the new Residential Zone Dismissal Plan, these procedures include certain minor changes in the wording of media announcements. Please take time to familiarize yourself with these changes and communicate them to all affected employees.

Attachment



WASHINGTON, D.C., AREA EMERGENCY DISMISSAL
OR CLOSURE PROCEDURES

Introduction

1. The following guidelines are intended to coordinate decisions made by Federal agencies concerning group dismissals or closure of activities in emergency situations in the Washington, D.C., area. These guidelines apply to snow emergencies, severe icing conditions, floods, earthquakes, hurricanes, air pollution, power failures, interruption of public transportation, and other situations in which significant numbers of employees are prevented from reporting to work on time or which require agencies to close all or part of their activities. These procedures apply to all executive agencies (except the U.S. Postal Service) inside the Washington Capital Beltway. Facilities outside the Beltway may prefer to develop their own plans, since they normally are subject to different emergency and traffic conditions than those inside the Beltway.

2. The concentration of Federal workers in the Washington, D.C., area requires that any change in their work hours because of emergency conditions be coordinated carefully with municipal and regional officials to minimize disruption of the highway and transit systems. For this reason it is essential that, to the extent possible, Federal agencies in the metropolitan area comply with this area-wide plan and the announced decisions on dismissal or closure. Independent action by agencies should be avoided. Some agencies may need to exclude certain offices or activities--especially those in the outlying areas--from the plan. These agencies should notify the Office of Personnel Management of such exemptions and update such notices when necessary. Application of this guidance must be consistent with the provisions of applicable collective bargaining agreements or other controlling policies, authorities, and instructions. Nothing in this plan is intended to limit an agency's authority to grant or deny leave or manage its workforce.

OPM Responsibilities

3. In the Washington, D.C., area, the Office of Personnel Management is the Federal Government's point of contact with the municipal governments and regional organizations, such as the Washington Metropolitan Area Transit Authority (METRO). The designated official at OPM will consult with appropriate municipal and regional officials before a decision on closure, dismissal, or special leave treatment is made and will brief the Director of OPM on highway, transit, and emergency conditions.



4. The Director of OPM will then make a decision on whether to curtail Federal operations. This decision will be based on the need to keep Federal operations functioning as normally as possible and on concern for the safety of Federal employees.

5. If the emergency occurs before normal working hours, OPM will make every effort to notify the news media by 6 a.m. of the policy to be announced. If the emergency occurs during work hours, OPM will notify agency personnel directors by telephone of any dismissal policy. Some agencies with law enforcement or emergency responsibilities have the Federal Emergency Management Agency's GP-2200 communications circuit. OPM will transmit the announcements on this circuit. Communication centers should be instructed to notify their personnel offices of the announcements.

Agency Responsibilities

6. At least annually, agencies should provide written procedures for emergency dismissal to employees working in the Washington, D.C., area. The notice should tell employees how they will be notified and include the text of the media announcements to be used and a detailed explanation of their meaning. (See paragraph 10.) The notice also should explain that accrued compensatory time may be used instead of leave or leave without pay (LWOP), if requested by the employee.

7. At least annually, agencies should identify essential personnel and notify them in writing that they are designated as "essential." The notice should include the requirement that essential personnel report to, or remain at, work in emergency situations and an explanation that dismissal or closure announcements do not apply to them unless they are instructed otherwise. If an agency determines that a situation requires nonessential personnel to report to, or remain at, work, the agency should establish a procedure for notifying them individually.

8. Agencies are responsible for determining closure, dismissal, and leave policies for employees on shift work and for informing them of these decisions. Instructions concerning employees on flexitime are found in FPM supplement 990-2, book 610, appendix C, and, for employees on alternative work schedules, in FPM supplement 990-2, book 620.

9. Occasionally in emergency situations, individual employees may face special family situations (e.g., when employees are expected to report to work, but the schools open late or are closed). OPM will not provide the media with an announcement to cover these situations. Agencies should notify employees of procedures to be followed when this occurs and should be as flexible and understanding as possible in approving leave in these situations.



Emergencies Before the Workday Begins

10. OPM will provide one of the following announcements to the media when an emergency develops before the workday begins. Agencies must explain the meaning of these announcements to employees because this will not be included in the media announcements.

- a. Federal employees should report to work on time. (Means Federal agencies will open on time and employees are expected to report as scheduled.) NOTE: OPM frequently does not make an announcement when no changes are required in Federal operations.
- b. Federal agencies are open; reasonable tardiness will be excused. (Means employees are expected to report to work on time, but reasonable tardiness will be excused for those employees experiencing commuting delays.)
- c. Federal agencies are open; employees may take leave without prior approval. (Means Federal agencies will open on time. Reasonable tardiness will be excused for those employees experiencing commuting delays. Employees--except those designated as essential--who are prevented from reporting to work because of emergency conditions, or who could expect to have difficulty returning home if they report for work, may take annual leave or LWOP without prior approval.)

NOTE: In some situations, it may be necessary to combine the last two announcements above, as follows: Federal agencies are open; reasonable tardiness will be excused, and employees may take leave without prior approval.

- d. Federal agencies are closed today. (Means employees are excused from duty without charge to leave, except for essential employees, who are expected to report to work on time.)

11. In determining the amount of excused absence to grant employees who experience commuting delays, agencies should consider such factors as distance, availability and mode of transportation, and the success of other employees in similar situations.

12. Workdays on which a Federal activity is closed are non-workdays for leave purposes. Because leave cannot be charged for nonworkdays (5 U.S.C. 6302(a)), employees who are on leave approved before the closure also must be granted excused absence. (Note: This does not apply to employees on LWOP pending disability retirement or while in receipt of workers' compensation, on military leave, on suspension, or in a nonpay status on the workday before and after the closure. These employees are not entitled to excused absence and should remain in their current status.)



Emergencies During Normal Work Hours

13. OPM is unlikely to announce an early dismissal of Federal employees when an emergency develops during normal work hours because the bus and subway systems would find it difficult to organize an early rush hour. However, when early dismissal is authorized by OPM, employees should be dismissed in accordance with the Residential Zone Dismissal Plan developed by the Metropolitan Washington Council of Governments. OPM will inform agencies of the dismissal time for Zone 1 residents. (The dismissal time for Zone 1 residents will be at least 1 hour after METRO and traffic officials have been notified to prepare for an outbound rush.) Residents of other Zones will be dismissed at half-hour intervals thereafter. Supervisors should exempt individual employees from authorized dismissal times under this plan only to avoid hardships (e.g., when an employee's carpool driver is dismissed earlier or when younger children are released early from school and no alternative forms of child care are available to the employee). The Residential Zone for each employee will be determined as follows (and as shown on the attached map):

Zone 1 residents live beyond Montgomery, Prince Georges, and Fairfax Counties.

Zone 2 residents live in portions of Montgomery, Prince Georges, and Fairfax Counties that lie outside the Beltway.

Zone 3 residents live inside the Beltway, but outside the District of Columbia.

Zone 4 residents live in the District of Columbia.

14. Whether agencies charge leave when an emergency develops during normal work hours depends upon whether the employee is on duty or on leave at the time of dismissal.

- a. Agencies should not charge leave, but grant excused absences, for employees on duty at the time of dismissal. An excused absence is appropriate for the remainder of the workday even if an employee was scheduled to take leave later in the day.
- b. When an employee leaves after receiving official word of the pending dismissal but before the time set for dismissal, the agency should grant leave (if approved by the supervisor to avoid hardship) for the period remaining before the employee's official departure time. When an employee leaves before official word of the pending dismissal is received, the agency should charge leave or AWOL (absence without leave), as appropriate, for the remainder of the workday.



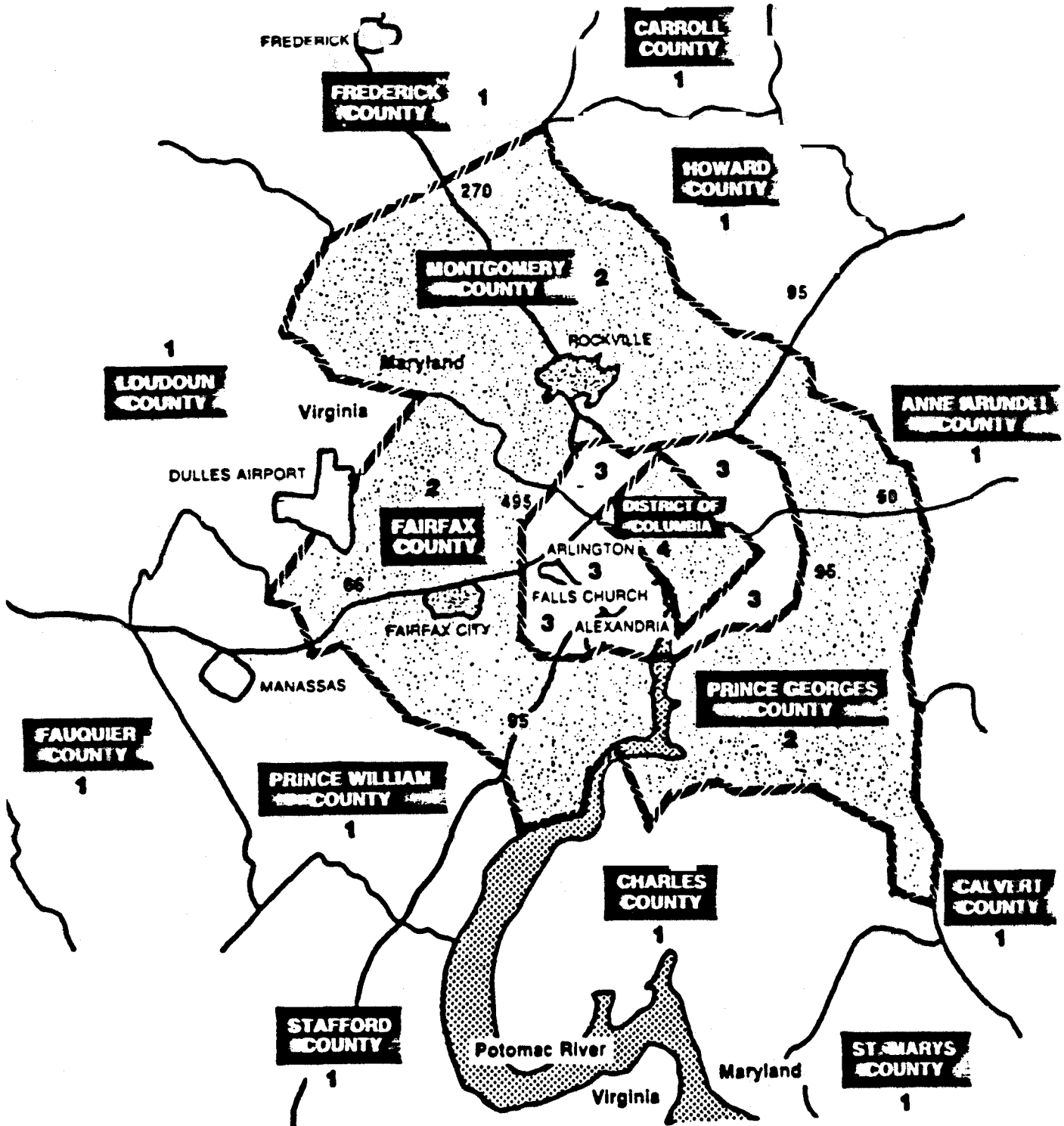
- c. When an employee was scheduled to return from leave during the period of the dismissal, the agency should continue to charge leave for the absence until the employee's scheduled return to duty, then charge any continuing absence due to the emergency in the same manner as absences of other employees who were on duty at the time of dismissal--i.e., as an excused absence.
- d. Normally, when an employee is scheduled to report to work before the dismissal, but fails to do so, the agency should charge annual leave, sick leave, or LWOP, as appropriate, for the entire workday. Exceptions to this policy should be made only in unusual circumstances.

Attachment



Council of Governments

Residential Zone Dismissal Plan for the Washington Metropolitan Area



Numbers Represent Dismissal Stages



Retirement Counselor Letter

FmHA Inst. 2066-A
Exhibit F

Number: 89-107

Date: APR 5 1989

Subject: Effect of Voluntary Leave Transfer and
Voluntary Leave Bank Programs on
Retirement Benefits

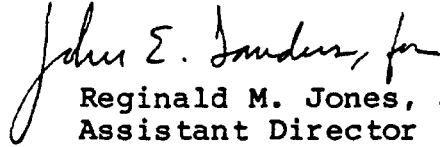
The purpose of this letter is to advise agencies of the potential impact of the Voluntary Leave Transfer and Voluntary Leave Bank Programs on leave recipients using transferred annual leave when they apply for retirement benefits.

Under the Voluntary Leave Transfer and Voluntary Leave Bank Programs established by Public Law 100-566, transferred annual leave may be substituted retroactively for periods of leave without pay (LWOP) or used to liquidate a debt for advanced annual or sick leave granted on or after a date fixed by the agency as the beginning of the period of medical emergency for which LWOP or advanced annual or sick leave was granted.

Ordinarily, the commencing date of an immediate annuity is based on the last day of an employee's pay status. Accordingly, when transferred leave is substituted at a date other than the beginning of the LWOP period just prior to the employee's separation for retirement purposes, the employee will not receive annuity for any period of LWOP prior to the period for which the transferred leave is substituted. For example, employee Mary Davis has been on LWOP since August 21, 1988. In February 1989, she uses 80 hours of transferred annual leave to receive pay. Her new last day of pay is February 11, 1989. On March 3, 1989, she is separated for disability retirement purposes, but her annuity will commence February 12, 1989, the day after her last day in pay status. She will not receive annuity for the period August 21, 1988 through January 28, 1989, because of the leave payment she received for the period January 29 through February 11, 1989. If the leave had been substituted retroactive to August 22, 1988, she would have been entitled to annuity commencing September 3, 1988.

If the employee has had a substantial period of LWOP like the employee in our example above, the period of time for which the transferred leave is substituted can make a substantial difference in the accrued annuity payment to which the employee is entitled. When agencies are aware that a leave recipient has applied for or is

contemplating applying for retirement, he or she should be counseled about the possible effect substituting transferred leave may have on his or her retirement benefits. This will provide the employee with important information needed to make an informed choice about the most advantageous period for substituting the transferred leave.



Reginald M. Jones, Jr.

Assistant Director

for Retirement and Insurance Policy