

**MGM 3600.1
REVISION D**

EFFECTIVE DATE: November 30, 2017

MARSHALL GUIDANCE MANUAL

HS01

ATTENDANCE AND LEAVE GUIDANCE

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DOCUMENT HISTORY LOG

Status (Baseline/ Revision/ Change/ Revalidation/ Canceled)	Document Revision/ Change	Effective Date	Description
Baseline		11/15/2004	This document replaces MPG 3600.1. Requirements are established in higher level documents and summarized in this document to provide guidance. (Corrected CH2.12.2 to read “fourteen pay periods” instead of “seven.” 12-21-2004.)
Revision	A	5/20/2009	CH1.2.2.3 Redescribed process for changing part-time work schedules. CH1.3.4 Deleted sentence on how to record not having a lunch period. CH1.7 Redescribed process for adjusting prior Webtads input. CH2.3.4 Removed requirement for higher level review of requests for doctor’s certificates for illnesses lasting less than 3 days. CH2.3.5.2 Redescribed procedures for applying for advanced sick leave. CH2.3.6 Removed all references to maintaining a leave balance and added that sick leave could be advanced for family care purposes. CH2.3.7 Removed all references to maintaining a leave balance and added that sick leave could be advanced for care of a family member with a serious health condition. CH2.4.2.2 Revised procedures so that requests for leave transfer are made to the NSSC. CH2.4.5 Added an exemption for donating more than half of annual leave accrual. CH2.11 Changed for consistency with MPD 1200.3. CH2.12 Extended the period for the use of compensatory time for 26 pay periods. CH2.13 Created a section for Compensatory Time Off for travel. CH2.14.3.3 Extended period of time for which LWOP may be approved. [On 10/30/09 at the request of the OPRD, administrative changes/corrections to clarify and correct grammar were made at CH1.1.2, CH1.1.3, CH1.1.5.3, CH1.1.6.6, CH1.6.1, CH2.3.7.3, CH2.5.4, CH2.8.6.1, CH2.8.6.3 c., CH2.11.6, and CH2.11.9.] [On 4/27/11, at the request of the OPRD, administrative changes were made at 1. Purpose to clarify, at 2.g. to update title of EO 13223, and throughout to include assistant manager where appropriate.]
Revision	B	7/27/2012	In Chapter 1, 1.1.1.9 Added guidance for Telework.
Revision	C	10/20/2014	CH 1.1.7.1 – changed 5 ½ to 3 ½ CH 1.1.7.2 – core hours changed to 10:00 AM – 2:00 PM Monday through Thursday; No core hours on Friday. Flexible hours are from 6:00 AM to 10:00 AM and 2:00 PM to 6:00 PM. Deleted sentence giving an example of a work schedule. CH 1.1.7.4 – Split work schedules are allowed. CH 1.1.9.1 – Added qualifier regarding possible change in salary IF geographic area changes with respect to telework. CH 2.16 Voluntary Leave Bank.
Revision	D	11/30/2017	CH 1.1.4.2 – deleted reference to Form 4068 CH 1.1.5.2 – deleted reference to Form 4068 CH 1.1.6.2 – added “The Maxiflex schedule allows employees to vary their arrival and departure times based on a schedule approved by the team leader/assistant manager/supervisor.” CH 1.1.6.4 added “Normally, the employee should establish a basic work requirement for at least 8 days per pay period; scheduling up to 2 off days per pay period.”; “The teamleader/assistant manager/supervisor needs to be aware that some approved schedules may incur additional costs if the approved schedule includes time that falls within night differential pay and/or Sunday premium pay.” CH 1.1.6.8 – added “ Overtime work means all hours of work in excess of 8 hours in a day or 40 hours in a week which are officially ordered and

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			<p>approved in advance.”</p> <p>CH 1.1.7.2 – deleted reference to Form 3478</p> <p>CH 1.1.7.7 – added “Compensatory time off for travel is 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. Since the work schedule of an employee on a first 40-hour tour consists of the first 40 hours worked, such employees do not begin earning Compensatory Time Off for Travel until they have worked 40 hours and their travel is not “otherwise compensable.”</p> <p>CH 2.3.5.2 – corrected web address</p> <p>CH 2.4.2.1 – corrected web address</p>
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Appendix A. References

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1. PURPOSE

To provide guidance for determining hours of duty and for the administration of absences and leave in accordance with applicable laws and regulations as listed in Appendix A References. Center guidance, used in conjunction with the referenced statutory and regulatory requirements, is based on NPD 3000.1 and NPR 3600.1. The Human Resources Services Office may be consulted for further information and guidance.

2. APPLICABILITY

- a. This MGM applies to Center personnel, programs, projects, and activities, including contractors and resident agencies to the extent specified in their respective contracts or agreements. (“Contractors,” for purposes of this paragraph, include contractors, grantees, Cooperative Agreement recipients, Space Act Agreement partners, or other agreement parties.)
- b. This MGM applies to the Michoud Assembly Facility.
- c. This MGM applies the following: all mandatory actions (i.e., requirements) are denoted by statements containing the term “shall.” The terms: “may” or “can” denote discretionary privilege or permission; “should” denotes a good practice and is recommended, but not required; “will” denotes expected outcome; and “are/is” denotes descriptive material.
- d. This MGM applies the following: all document citations are assumed to be the latest version unless otherwise noted.

3. GUIDANCE

See Chapters 1 and 2.

4. CANCELLATION

MGM 3600.1 D, Attendance and Leave Guidance, dated October 20, 2014.

Original signed by

Todd A. May
Director

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CHAPTER 1. HOURS OF WORK

1.1 MSFC WORK SCHEDULES

1.1.1 Components

MSFC Work Schedules consist of standard tours, compressed tours, maxiflex tours and First 40-Hour Tours.

1.1.2 Establishing Tours

Each of these tours of duty are to be established or changed at least 2 weeks in advance and continued for at least two pay periods. Employees affected by changes are given a 2-week advance notice except as otherwise may be provided in a negotiated agreement. When such a change constitutes a shift change, it is to be made in accordance with provisions of the appropriate collective bargaining agreement. Employees affected by changes such as required meeting attendance, scheduled training, or temporary duty do not constitute changes in the tour of duty.

1.1.3 Duration of Tours

A work schedule is only valid as long as the employee is working in the same organization where the schedule was approved. The authorization is automatically cancelled when the employee has a position change (i.e., detail, promotion, or reassignment) which results in an organizational code change.

1.1.3.1 Special Considerations

1.1.3.2 Each employee is encouraged to consult his or her team leader/assistant managers/supervisor as well as coworkers and other individuals with whom the employee interfaces in the accomplishment of assigned work prior to submitting a request. Team leaders/assistant managers/supervisors review each request against the requirements of the employee's job assignment. If, in the supervisor's judgment, the requested work schedule does not adversely impact the employee's job assignment, the tour may be approved. Approved requests are retained by the supervisor and/or the organization's point of contact for time and attendance matters as long as they are in effect.

1.1.3.3 When a work schedule cannot be approved as requested, it is discussed with the employee and the need for a different assignment explained. That assignment is then noted in the appropriate place on the request. Supervisors may not set schedules for the express purpose of circumventing the employee's use of any available tour.

1.1.3.4 Shift operations are not compatible with any available tour. The assignment of an employee to a shift operation has priority over an approved tour for the duration of the shift requirement. Upon completion of the shift work, employees return to their previous tour of duty.

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unless a request is submitted and approved for an alternate choice.

1.1.3.5 This subpart does not give an employee the right to refuse to perform assigned work, to refuse a direct management order, or to refuse to appear for work when ordered to do so in order to accomplish the Center’s mission. An approved work schedule does not serve to alter the right of MSFC to determine a need for, and to direct, an employee to report at a given time on particular days in order to attend scheduled meetings or perform necessary work.

1.1.4 STANDARD TOURS

1.1.4.1 Schedule

The standard tour is a 40-hour week consisting of five 8-hour days, between the hours of 6 a.m. and 6 p.m. Monday through Friday. During these 40 hours, an employee is required to perform services on a regularly-scheduled basis. Each work day of 5 hours or more incorporates a non-paid lunch period of 30 minutes (Reference: Section CH1.3).

1.1.4.2 Tour of Duty

Employees may request any one of the standard tour options beginning not earlier than 6 a.m. and not later than 9:30 a.m. The team leader/assistant manager/supervisor may approve the requested standard tour except in situations where they believe that the schedule adversely impacts the employee’s performance of assigned duties or the workload of the office. If approved, the employee then works an 8-hour day, with a 30-minute lunch period, from the starting time requested. Approved standard tour options are for two pay periods in duration from the effective date, automatically extending in increments of two pay periods until a new work schedule is arranged. The standard tour options are:

- a. 6 a.m. to 2:30 p.m.
- b. 6:15 a.m. to 2:45 p.m.
- c. 6:30 a.m. to 3 p.m.
- d. 6:45 a.m. to 3:15 p.m.
- e. 7 a.m. to 3:30 p.m.
- f. 7:15 a.m. to 3:45 p.m.
- g. 7:30 a.m. to 4 p.m.
- h. 7:45 a.m. to 4:15 p.m.
- i. 8 a.m. to 4:30 p.m.
- j. 8:15 a.m. to 4:45 p.m.
- k. 8:30 a.m. to 5 p.m.
- l. 8:45 a.m. to 5:15 p.m.
- m. 9 a.m. to 5:30 p.m.
- n. 9:15 a.m. to 5:45 p.m.
- o. 9:30 a.m. to 6 p.m.

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1.1.4.3 Emergency Situations

For emergency situations on a given day, the standard tour for that day may be changed by the employee with the consent of the team leader/assistant manager/supervisor. Team leaders/assistant managers/supervisors may also direct a change in their standard tour (e.g., to meet emergency requirements on a given day or to attend special meetings). For bargaining unit employees, the standard tour may be changed in accordance with the applicable collective bargaining agreement.

1.1.5 COMPRESSED TOURS

1.1.5.1 Description

The MSFC compressed tour provides for eight 9-hour days, one 8-hour day, and one day off each pay period. The basic tour of duty occurs between the hours of 6 a.m. and 6 p.m., Monday through Friday with a 30-minute lunch period.

1.1.5.2 Tour of Duty

The employee may request a compressed tour with times to begin at 15-minute intervals between the hours of 6 a.m. and 8:30 a.m. The team leader/assistant manager/supervisor approves the requested compressed tour except in situations where they believe that the schedule adversely impacts the employee's performance of assigned duties or the workload of the office. Disapproval of the request may be in accordance with the appropriate collective bargaining agreement. The compressed tour may be approved for two pay periods in duration and if the employee does not request a new work schedule at the end of that time, the compressed tour may become the normal tour of duty.

1.1.5.3 Scheduling

Employees schedule their day off and 8-hour day subject to team leader/assistant manager/supervisory approval. The team leader/assistant manager/supervisor may disapprove the scheduling of the compressed tour day off, or the 8-hour day, based upon staffing or work requirements. When the requested tour cannot be approved, it is discussed with the employee and need for a different tour explained.

1.1.5.4 Holidays

When a holiday established by either Federal Statute or Executive Order occurs during the pay period, the employee records the number of hours regularly scheduled for that day. When a holiday occurs on an employee's scheduled off day, the holiday becomes the preceding workday. In the event the holiday occurs on a Monday, the holiday becomes the following workday, subject to team leader/assistant manager/supervisory approval. All off days are scheduled as 8-hour days. Employee's work schedules are not adjusted in order to be paid for a greater number of hours on a holiday.

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1.1.5.5 Temporary Duty (TDY) and Training

Employees scheduled for training, TDY, or special assignments work the schedule of the host activity or hours predetermined by the employee and the supervisor.

1.1.5.6 Changes

On a given day or in emergency situations, the compressed tour may be changed by the employee with team leader/assistant manager/supervisory approval. Work is normally performed between the hours of 6 a.m. and 6 p.m. Changes to established schedules have to be requested and approved prior to the beginning of the current pay period. Team leaders/assistant managers/supervisors may also direct a change in employees' compressed tour to meet emergency requirements, i.e., to attend special meetings and other required events. For bargaining unit employees, the schedule may be changed in accordance with the applicable collective bargaining agreement.

1.1.5.7 Excused Absence

Compressed tour participants may be granted excused absence with pay under the same circumstances as excused absences would be granted to employees on other work schedules (Reference: Section CH2.11). The amount of excused absence to be granted will be based on the employee's established tour of duty in effect for the period covered by the excused absence.

1.1.5.8 Suspension of Premium Pay

In accordance with provisions of the Fair Labor Standards Act (FLSA), overtime is not paid when an employee on their own initiative and/or because of personal preference chooses to work longer during a workday or workweek in order to shorten the length of a subsequent workday or workweek.

1.1.6 MAXIFLEX TOURS

1.1.6.1 Description

A maxiflex tour has a basic work requirement of 80 hours per pay period. The tour has to be established and approved prior to the start of a pay period and may not be changed by the employee during the pay period. A maxiflex tour is not intended to allow an employee to adjust their work schedule from day to day. This tour requires an established work schedule which has been approved by the team leader/assistant manager/supervisor and has to be adhered to for at least 2 pay periods before it can be changed. With team leader/assistant manager/supervisory approval, employees may establish a schedule of from 3 ½ to 10 hours per day. While the employee may establish a schedule that varies each day, all schedules require prior team leader/assistant manager/supervisory approval.

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1.1.6.2 Tour of Duty

The Maxiflex schedule allows employees to vary their arrival and departure times based on a schedule approved by the team leader/assistant manager/supervisor. An employee may be required to work at any time based on the organization's work requirements. With team leader/assistant manager/supervisory approval, employees may vary their arrival and departure times on a given workday to accommodate emergency tours and extended lunch periods. Schedule deviations of this nature may not alter the number of daily or weekly hours for an employee's established and approved work schedule.

1.1.6.3 Credit Hours

With team leader/assistant manager/supervisory approval, employees working a maxiflex tour may elect to earn credit hours. Credit hours are hours the employee elects to work which are outside of their basic work requirement. Credit hours are distinguished from overtime hours in that they are elected by the employee rather than being required by management. Credit hours may be earned and used within the same pay period or in another pay period. Full time employees may accumulate a total of 24 credit hours and no more than 24 credit hours may be carried forward into the next pay period. Part-time employees may carry over no more than one-fourth of their part-time biweekly work requirement. Credit hours may be earned only when meaningful work is available. The use of credit hours requires prior team leader/assistant manager/supervisory approval.

1.1.6.4 Scheduling

Employees may request to work a maxiflex tour at least 2 weeks in advance of when the tour is to be implemented. The team leader/assistant manager/supervisor approves the request if it allows for adequate office coverage and is appropriate to the nature of work being performed. When the requested tour cannot be approved, it is discussed with the employee and the need for a different tour explained. Normally, the employee should establish a basic work requirement for at least 8 days per pay period; scheduling up to 2 off days per pay period. Split work schedules are allowed with supervisory approval. A split work schedule is defined as a person's work day being split into two or more parts. The teamleader/assistant manager/supervisor needs to be aware that some approved schedules may incur additional costs if the approved schedule includes time that falls within night differential pay and/or Sunday premium pay.

1.1.6.5 Leave

Leave – sick leave, annual leave or leave without pay (LWOP) may be charged based on the employee's established schedule on that day. An employee cannot charge or be asked to charge more leave than the number of hours they are scheduled to work on that day. An employee who works less than their established schedule on any workday has to account for this time by using either leave or previously-earned credit hours.

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1.1.6.6 Holidays

Full-time employees are entitled to 8 hours of basic pay for holidays established by Federal Statute or Executive Order. When a holiday falls on a day when a full-time employee is scheduled to work other than 8 hours, the employee is required to adjust their work schedule accordingly.

1.1.6.7 Excused Absences

Excused absences may be granted for employees utilizing a maxiflex tour under the same circumstances as excused absences would be granted for employees with any other tour. The amount of the excused absence is based on the employee's established schedule for that day.

1.1.6.8 Overtime

Overtime work means all hours of work in excess of 8 hours in a day or 40 hours in a week which are officially ordered and approved in advance. Employees may not obligate the Center for the payment of overtime by choosing to work more than 8 hours a day or 40 hours a week. Employees who are required to work in excess of 8 hours a day or 40 hours a week have to be compensated for this time. Overtime is paid, as appropriate, to employees who are ordered and approved to work in excess of 8 hours per day or 40 hours per week. If the hours ordered to be worked are not in excess of 8 hours in a day or 40 hours in a week at the time they are performed, the supervisor/assistant manager/team leader may require:

- a. The employee to take off from work on a subsequent workday for an equal period of time; or
- b. The employee to complete the basic work requirement as scheduled and count the extra hours as credit hours; or
- c. The employee to complete the basic work requirement as scheduled with the resulting hours worked beyond the employee's basic work requirement compensated as overtime hours.

1.1.6.9 Compensatory Time

Compensatory time is available to the same extent it is available to employees working any other tour.

1.1.6.10 Night Differential

Night differential is not paid solely because an employee elects to work credit hours, or an arrival or departure time, at a time of day when night differential is otherwise available.

1.1.6.11 TDY and Training

Employees scheduled for training, TDY, or special projects work the schedule of the host

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activity or project unless another schedule has been established between the team leader/assistant manager/supervisor and the employee. Employees may not earn credit hours while in a travel status.

1.1.7 FIRST 40-HOUR TOUR

1.1.7.1 Description

A First 40-hour tour is the period of duty prescribed for employees when it has been determined that it is impractical to establish a regularly-scheduled basic workweek, in which case the first 40 hours of duty constitute the basic workweek. Approval for a First 40-hour tour of duty is with the understanding that the irregular workweek is for the convenience of MSFC and not for the personal convenience of employees.

1.1.7.2 Schedule

One of the standard tour options has to be selected as the “Regular Work Hours.” These hours may be followed to the extent possible. When there are deviations, the first 40 hours of duty time in any week becomes the basic workweek. The supervisor is the approving authority for First 40-hour tour exempt employees above the GS-10, Step 1 level. Employees approved to work a First 40-hour tour of duty have to work their basic 40 hours in each workweek over no more than 6 of 7 consecutive work days.

1.1.7.3 OVERTIME

Any hours in excess of 40 in a week that are ordered or approved are considered overtime hours for First 40 employees. Hours in excess of 8 in a day that are ordered or approved are overtime for FLSA non-exempt employees and for exempt employees whose pay is less than or equal to that of GS-10, Step 10. For this reason, it is not advisable to assign non-exempt employees to First 40-hour tours. Certain employees (professional, scientific, or technical) are not entitled to overtime for work over 8 hours in a day, regardless of grade or salary level. For non-exempt employees only, hours over 40 in a week that are suffered or permitted are considered overtime hours. For this reason, several distinct subcategories of the First 40-hour tour have been established.

a. First 40-I includes most employees for whom a First 40-hour tour is appropriate. It covers exempt employees who are paid more than GS-10, Step 1, or equivalent, or engaged in professional or technical scientific or engineering activities at any pay level. For employees under First 40-I, the following overtime rules apply:

- (1) Overtime may be paid for hours ordered or approved by the supervisor, which are in excess of the basic 40-hour workweek.
- (2) Employees are not entitled to compensation for hours worked in excess of 8 in a day (unless they are in excess of 40 hours a week, and ordered or approved).

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(3) Employees are not entitled to compensation for suffered or permitted hours worked.

b. First 40-X includes employees who are not exempt from FLSA requirements, at any pay level and any type of work, and certain exempt employees. While most exempt employees are covered by First 40-I, a small number of employees are covered by a unique set of overtime rules. This tour covers exempt employees whose hourly rate of basic pay does not exceed GS-10, Step 1, or equivalent, and those who are not in a professional or technical engineering or scientific position. The overtime rules are the same as for non-exempt employees, except for the suffered/permitted rule. Employees working a First 40-X tour are subject to the following overtime rules:

(1) Overtime may be paid for hours in excess of 8 in a day that are ordered or approved (not suffered or permitted).

(2) Overtime may not be paid for hours worked in excess of 8 in a day for a non-exempt employee whose rate of basic pay exceeds GS-10, Step 1, or is engaged in professional or technical engineering or scientific activities.

(3) Overtime may be paid for hours in excess of 40 in a week that are ordered or approved (and for non-exempt employees only, suffered or permitted hours).

(4) Work over 8 hours in a day is counted toward the 40-hour workweek, whether or not they are compensated as daily overtime. It is possible for an employee to work a total of only 40 hours in a week, including both regular and overtime hours. While this initially gives the employee an increase in pay, the employee may be cautioned that only regular hours (not overtime) are counted towards the computation of salary for retirement.

(5) Work over 8 hours in a day that is not ordered or approved is compensated at the regular rate (not overtime) when the total number of hours worked (or accounted for by leave) does not exceed 40 hours in the workweek.

(6) In lieu of payment for irregular or occasional overtime hours, an employee may request comp time. The Center may not require an employee to accept comp time in lieu of overtime.

1.1.7.4 Leave

An employee on a First 40-hour tour of duty is responsible for recording an appropriate form of leave when they are not present on a scheduled workday. This leave may not exceed 8 hours in any one day. In the absence of a specific schedule, the normal duty hours, as assigned by the supervisor, may be considered to be the established schedule. All employees are required to request annual and sick leave in accordance with regulations and their collective bargaining agreement. If an employee is in a leave status for the entire workweek, the employee is considered as a regular employee and is charged with 40 hours of appropriate leave.

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1.1.7.5 Holidays

MSFC employees assigned First 40-hour tours of duty observe the same holidays as other employees. Each employee is given credit for 8 hours holiday time toward their 40 hour workweek. Hours worked in excess of 8 may be counted toward the 40 hours, but the first 8 hours worked are recorded as the holiday.

1.1.7.6 Excused Absence

Employees working this tour may be granted an excused absence under the same circumstances as excused absences would be granted to employees on other work schedules (Reference: Section CH2.11). The amount of the excused absence to be granted may be based on the employee's established tour of duty in effect for the period covered by the excused absence.

1.1.7.7 Travel/TDY

Compensatory time off for travel is 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. Since the work schedule of an employee on a first 40-hour tour consists of the first 40 hours worked, such employees do not begin earning Compensatory Time Off for Travel until they have worked 40 hours and their travel is not "otherwise compensable. Time in a travel status outside the normal tour of duty may be compensated when at least one of the following conditions are met:

- a. Employee actually performs work while traveling.
- b. Travel is carried out under arduous conditions.
- c. Travel is a part of and inseparable from the employee's regular duties.
- d. Travel results from an event which could not be scheduled or controlled administratively.

1.1.8 TELEWORK

1.1.8.1 Description

Telework is defined as a work arrangement in which an employee regularly performs officially-assigned duties at home or other approved work sites geographically convenient to the residence of the employee. Teleworking is an innovative management option, not an employee entitlement. Teleworking does not change the terms and conditions of appointment, salary (unless geographic location changes), the time an employee is expected to work, job responsibilities, or benefits.

1.1.8.2 General Information

See NPR 3600.2 and MPR 3000.1 for specific requirements and guidance regarding telework.

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1.2 PART-TIME SCHEDULES

Part-time work schedules consist of a continuing tour of duty of not less than 16 hours per week and not more than 32 hours per week. Based on mission and resource requirements, the schedules are available to employees in competitive or excepted service appointments. Established schedules have to be between the hours of 6 a.m. and 6 p.m.

1.2.1 General Information

1.2.1.1 Service Credit - Part-time employees receive a year of service credit for each year worked (regardless of part-time schedule) for the purpose of computing service for retention, retirement eligibility, career tenure, completion of the probationary period, within-grade increase, leave accrual rate, and time-in-grade restrictions for promotion.

1.2.1.2 Crediting Experience - For part-time employees, qualifying experience is credited on a prorated basis. For example, a part-time employee working 20 hours per week for 1 year is credited with 6 months experience.

1.2.1.3 Within-Grade Increase – The length of the waiting period for advancement to the next higher step is based on the number of weeks of creditable service at the previous step. The waiting period for a step increase for a part-time employee is not extended.

1.2.1.4 Competition for Full-Time Positions - Part-time employees may compete for full-time positions announced under the Competitive Placement Plan.

1.2.1.5 Earnings - Gross pay is computed by multiplying the employee's hourly rate of pay by the number of hours worked during the pay period. The hourly pay rate for part-time employees is the same as the hourly rate for full-time employees.

1.2.1.6 Overtime and Compensatory Time - Hours worked in excess of a part-time employee's regular tour of duty are credited as overtime or compensatory time only when they exceed 8 hours per day or 40 hours per week. A part-time employee receives regular pay for work which is in excess of scheduled hours but does not exceed 8 hours per day or 40 hours per week as applicable. By definition, both overtime and compensatory time are rarely performed by part-time employees.

1.2.1.7 Sunday and Night Pay - A part-time employee is not entitled to Sunday premium pay for working on Sundays. He or she is, however, entitled to night pay for work performed between 6 p.m. and 6 a.m., as part of his or her regularly scheduled tour of duty.

1.2.1.8 Leave and Holidays

a. Annual leave is earned on a prorated basis with the employee earning 1 hour for each: 20 hours in pay status if less than 3 years' service; 13 hours in pay status if between 3 and 15 years' service; and 10 hours in pay status if 15 or more years' service.

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- b. Sick Leave is earned on a prorated basis with the employee earning 1 hour for each 20 hours in a pay status.
- c. Other types of leave, such as leave without pay, excused absence, and court leave, are credited in the same manner as for full-time employees.
- d. Military Leave for eligible part-time employees is prorated based on their tour of duty.
- e. Holiday Pay - A part-time employee is not entitled to a holiday which falls outside the tour of duty. If a holiday falls on a day a part-time employee is officially scheduled to work, the employee is paid for the number of hours scheduled for that day. Schedules may not be adjusted in order to be paid or paid for a greater number of hours on a holiday. If the part-time employee works during his or her scheduled tour on a holiday, the employee is entitled to holiday premium pay only for those hours scheduled as part of his or her tour of duty. Hours worked in excess of the employee's scheduled tour maybe charged as regular time.

1.2.1.9 Training - Part-time employees receive the same consideration as full-time employees for training and developmental assignments. The same procedures for nomination and selection for training are used. Part-time employees may temporarily increase or adjust their work schedules to attend training courses, by following the procedures for changing the work schedule, as described in paragraph CH1.2.2.2 below.

1.2.1.10 TDY– Part-time employees may increase or adjust their work schedules while in the performance of TDY. Travel from one location to another performed outside of the adjusted schedule does not constitute part of the employee's work schedule. Part-time employees may temporarily increase or adjust their work schedules while in the performance of TDY for a maximum of two pay periods. Employees may follow the procedures for changing their work schedules, as described in paragraph CH1.2.2.2 below.

1.2.1.11 Life Insurance Coverage - Part-time employees are eligible for coverage under the Federal Employees Group Life Insurance Program. The actual amount of insurance for which an employee is eligible is based on annual salary, but in any case is not less than \$10,000. (For this purpose, a part-time employee's annual salary is the amount of hours scheduled to work times the hourly pay rate.) NASA Employee's Benefit Association insurance is also available to permanent part-time employees.

1.2.1.12 Health Insurance Coverage - Part-time employees are eligible to participate in the Federal Employees Health Benefits Program. The coverage is the same as that provided for full-time employees, but the employee's cost for the premiums is greater. For these employees, the Government's contribution is prorated according to the number of hours the employee is scheduled to work. For example, a part-time employee scheduled to work 20 hours per week pays the employee's share of the premium plus one-half of the Government's share.

1.2.1.13 Retirement - The date of eligibility for retirement is not affected by part-time employment, as service is credited by calendar weeks. The annuity for a part-time employee is

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first computed as if full-time for both salary and service years, then reduced by the percentage of a full-time salary actually earned.

1.2.1.14 Severance Pay - Part-time employees have the same basic entitlement to severance pay as full-time employees as long as their regularly-scheduled tour of duty includes time in each administrative work week. Severance pay is prorated based on the number of hours the employee is scheduled to work.

1.2.1.15 Reduction in Force - Part-time employees are placed in a separate competitive level from comparable full-time employees during reduction-in-force procedures. When released from a competitive level, part-time employees can compete only for other part-time jobs.

1.2.2 Procedures

1.2.2.1 Filling Part-Time Positions - Organizations identifying positions that might be filled on a part-time basis may discuss the matter with the Human Resources Services Office. In addition, full-time employees who are interested in part-time work may discuss the feasibility of converting to part-time status with their supervisor. Opportunities to voluntarily change from full-time to part-time career employment may be given to employees whenever feasible, but granting this request remains an option of management. Employees may submit an MSFC Form 4376 to request a part-time work schedule. In requesting a conversion from a full-time to a part-time permanent position, employees are encouraged to be aware of the following:

- a. The appointment to part-time does not confer an automatic conversion privilege back to full-time.
- b. Any requests for conversion back to full-time have to be submitted and approved in advance.

1.2.2.2 Permanent Increase or Rearrangement of Hours - By definition, the scheduled tour of duty for part-time employees has to be between 16 and 32 hours per week. Permanent changes in the employee's tour of duty (days and/or hours) have to be made in advance of the administrative pay period in which the change is to occur and have to be approved by the supervisor and the Human Resources Services Office prior to the hours being worked. Employees may submit an MSFC Form 4379 to request a change in an established part-time work schedule. [MSFC Form 4379](#)

1.2.2.3 Temporary Changes to Part-Time Work Schedule - Temporary changes may be authorized at the organizational level. Team leaders/assistant managers/supervisors may authorize temporary work schedule changes by approving the WebTADS input by the employee. The WebTADS input may include a comment in the remarks section regarding the reason for the change in the work schedule.

1.3 LUNCH PERIODS

1.3.1 Lunch periods during which an employee is entirely free of duty may not be considered

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duty time and have to be scheduled within the hours established for the daily tour of duty. The first 30 minutes of the work day and the last 30 minutes of the work day cannot be considered a lunch period.

1.3.2 Normal lunch periods of 30 minutes duration are authorized. However, an employee may, with prior approval, elect to extend their lunch period to 60 minutes, provided the additional 30 minutes is worked at the beginning or the end of the workday. Work may normally be performed during the hours of 6 a.m. and 6 p.m.

1.3.3 All regular or overtime, or a combination of both, work periods of 8 hours or more have to provide for normal lunch or dinner periods of at least 30 minutes duration. Exceptions to this policy are as follows:

1.3.3.1 Where three 8-hour shifts are in operation and an overlapping of shifts to permit time off for a lunch period is not possible. In such cases, a lunch period of not more than 20 minutes may be granted. The lunch period is considered as time worked for which compensation is allowed and employees have to spend the time at or near their work stations.

1.3.3.2 Where an unusual situation precludes an employee from taking a lunch period.

1.3.4 Whether the employee observes a lunch period during regular or overtime tours is not a matter of choice on the part of the employee. When no lunch is observed, one of the two conditions listed above have to exist.

1.3.5 To determine when a lunch period may be observed during overtime, the following rules apply:

1.3.5.1 Overtime on regular workdays - A lunch period may be observed after the first 4 hours of overtime and each 8 hours thereafter.

1.3.5.2 Nonwork days – A lunch period may be observed after the first 5 hours of overtime and each 8 hours thereafter.

1.4 REST PERIODS

1.4.1 It is the Center's policy to permit rest periods during the daily tour of duty where it is determined they are required to produce one or more of the following results:

1.4.1.1 Protection of employee's health by relief from hazardous work or work which requires continual and/or considerable physical exertion.

1.4.1.2 Reduction of accident rate by removal of fatigue potential.

1.4.1.3 Working in confined spaces or in areas where normal personal activities are restricted.

1.4.1.4 Increase in or maintenance of high quality and/or quantity production traceable to the

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rest period.

1.4.2 The rest period may not exceed 15 minutes during each 4 hours of continuous work. If the period from the beginning of the daily tour to the lunch period is less than 4 hours, a rest period may be granted only in unusual circumstances. The rest period may not be a continuation of the lunch period. A rest period may not be granted where none of the above criteria is applicable.

1.5 OVERTIME HOURS

All overtime hours have to be officially ordered or approved by the employee's team leader/assistant manager/supervisor. Overtime services of employees, except as necessitated because of disaster or emergency, may be utilized only to meet essential deadlines or to maintain vital operations. Overtime is not paid to employees who choose to work longer during a workday or workweek in order to shorten the length of a subsequent workday or workweek. Overtime may be granted in accordance with the appropriate collective bargaining agreement.

1.6 CLOSING OF INSTALLATION

1.6.1 Under certain conditions (i.e., climatic, environmental, or disaster), the MSFC Director and the heads of MSFC component installations may close part or all of their respective installations and excuse their employees from duty. All employees paid on a per annum basis may be excused without charge to leave or loss of pay. Other types of employees may also be excused in accordance with 5 CFR 610.301. All questions relative to whether or not employees may be excused under the conditions stated above may be addressed to the Supervisor, Human Resources Services Office.

1.6.2 Severe weather conditions pose a serious and continued threat to our mission; therefore, employees are advised to be prepared to meet weather and other types of emergency contingencies. Accordingly, it is essential that all employees prepare their vehicles at the earliest possible date for safe driving under adverse winter weather conditions. Work activity in Center functions may continue during severe weather. Therefore, unless there is an announcement to the contrary, normal working hours may be observed. Any announcement is made through supervisory channels, or if outside duty hours, through the MSFC Information Line (544-HELP). Unless an announcement is made, there may be no change to the work schedule. The granting of excused absence because of weather conditions is not anticipated except on very rare occasions. However, team leaders, assistant managers and supervisors are authorized to observe a liberal annual leave policy during adverse weather conditions, particularly when an employee believes travel would entail personal danger.

1.7 REPORTING HOURS OF WORK

Employees are responsible for ensuring their time is recorded correctly. Employees are provided a Leave and Earnings statement for each pay period showing the biweekly pay, deductions, leave usage, and balances. Employees may review this statement and report any discrepancies to the team leader/assistant manager/supervisor. Discrepancies in original time and leave reported may be corrected by requesting a prior pay period adjustment in the time and attendance system not more than 3 pay periods after they occur. Prior period adjustments greater than 3 pay periods

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old are allowed only under exceptional circumstances. The employee’s team leader/assistant manager/supervisor is required to provide justification for the exceptional nature of the adjustment, and second level review and approval is required by the Chief Financial Officer. Request and approval of time card adjustments older than 3 pay periods may be performed in WebTADS.

1.8 HAZARDOUS DUTY

1.8.1 Hazardous duty pay (also referred to as pay for duty involving physical hardship or hazard) may be paid to General Schedule employees for the performance of certain irregular and occasional duties involving physical hardship or hazard. Hazardous duty pay differential may not be paid to an employee, however, when the unusually severe hardship, hazard, and/or working condition has been taken into account in the classification of his or her position. Questions about the classification of specific positions may be directed to your servicing human resources specialist.

1.8.2 A list of duties for which hazardous duty pay may be authorized can be found in Appendix A to Subpart I of 5 C.F.R. Part 550.

1.8.3 When an employee performs duty for which a hazard pay differential is authorized, the Center pays the hazard pay differential for all hours the employee was in a pay status on the calendar day on which the duty is performed (except employees may not be paid a hazardous duty differential for hours that they receive annual premium pay under provisions of 5 C.F.R. 550.141, 5 C.F.R. 550.151, or 5 C.F.R. 550.181).

1.8.4 Employees are responsible for entering any hours for which hazardous duty differential may be paid on their WebTADS time and attendance record. Employees are also responsible for recording the reason for the hazardous duty differential in the WebTADS “comments” data field. (For example: Received, transported, and installed igniters and squibs [incendiary and explosive materials] for rocket motor tests.)

1.8.5 Supervisors are responsible for approving hazardous duty differential for employees when an employee performs duty for which hazard pay is authorized.

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CHAPTER 2. LEAVE ADMINISTRATION

2.1 GENERAL

The administration of leave regulations at MSFC is applied uniformly to all employees. Approval of leave for an individual employee normally rests with the team leader/assistant manager/supervisor. Employees are responsible for cooperating with their team leaders/assistant managers/supervisors in the administration of the leave program and arranging for leave far enough in advance so as not to seriously interfere with their work. These procedures apply to all MSFC employees except those employees in a bargaining unit when a conflict exists between these procedures and the procedures in an MSFC collective bargaining agreement. In such instances where a conflict exists, the agreement takes precedence for bargaining unit employees.

2.2 ANNUAL LEAVE

2.2.1 Crediting Annual Leave

2.2.1.1 Non-temporary employees may be credited at the beginning of the leave year with the amount of annual leave they are expected to accrue during the leave year.

2.2.1.2 Temporary employees are credited with annual leave as it is earned. However, an employee whose current employment is limited to less than 90 days is entitled to annual leave only after being currently employed for a continuous period of 90 days under successive appointments without a break in service.

2.2.2 Accrual of Annual Leave

MSFC employees earn annual leave while in a pay status according to their creditable service. Annual leave is accrued and credited to employees as follows:

2.2.2.1 Full-Time Employees - Employees with full-time schedules earn:

- a. Four hours each pay period if they have less than 3 years of service.
- b. Six hours each pay period (except that the last period in the calendar year may be 10 hours) if they have more than 3 years but less than 15 years of service.
- c. Eight hours for each period if they have 15 years or more service.

2.2.2.2 Part-Time Employees - Part-time employees who have a regularly-scheduled tour of duty of 1 or more workdays during each administrative workweek in the pay period are credited with 1 hour for each:

- a. Twenty hours in a pay status if they have less than 3 years of service.

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- b. Thirteen hours in a pay status if they have between 3 and 15 years of service.
- c. Ten hours in a pay status if they have 15 or more years of service.

2.2.3 Scheduling Annual Leave

2.2.3.1 Annual leave is considered to be scheduled when:

- a. It has been requested by the employee.
- b. The request has been acted upon by the team leader/assistant manager/supervisor authorized to approve leave.
- c. The request and action taken by the team leader/assistant manager/supervisor may be oral, written or electronic. In situations involving the forfeiture or restoration of annual leave, the request and the reply to the request are to be either electronic or in writing.

2.2.3.2 Team leaders/assistant managers/supervisors give their employees an opportunity to plan and schedule their annual leave. This may be done early in the year. Employees are notified of this opportunity and are given a reasonable amount of time to consider the matter in advance of submitting their requests for leave.

2.2.3.3 Team leaders/assistant managers/supervisors and employees have a mutual obligation to plan and schedule leave, including restored leave. Restored leave may be used as expeditiously as circumstances permit but within the specified 2-year limit.

2.2.3.4 When annual leave is denied or approved leave cancelled, an alternative period of time may be scheduled. This may be done immediately.

2.2.3.5 No employee may forfeit accrued annual leave because of any statutory limitation; therefore, special attention is to be given to the scheduling of leave to avoid forfeiture. If an employee does not request leave or does not use leave that is approved, any resulting forfeiture is considered to be by the employee's choice.

2.2.4 Timeliness of Requests for Leave

2.2.5 Except in unforeseen circumstances, annual leave is to be requested sufficiently in advance to permit careful scheduling of leave for all employees in the work unit and to enable efficient conduct of the work.

2.2.5.1 In case of emergency absence, the employee is expected to request approval as promptly as is reasonable or in accordance with their collective bargaining agreement.

2.2.5.2 Before forfeited annual leave may be considered for restoration, the use of the annual leave is to have been scheduled in writing before the start of the third biweekly pay period prior

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to the end of the leave year.

2.2.6 Approval Consideration

An employee's timely request for leave may be approved if it is reasonable in consideration of work and manpower requirements, including consideration of other employees' leave plans and schedules. Leave that has been scheduled for use may be rescheduled on the same basis. Leave credited to a probationary or trial period employee that is in advance of the amount earned may be approved judiciously.

2.2.7 Denial of Leave in Excess of Maximum Carryover

If an employee submits a timely request for leave and the work situation and timing preclude rescheduling to avoid forfeiture of leave at the end of the leave year, the leave may be denied only if the MSFC Associate Director determines that there is an exigency of the public business which is of major importance and that, therefore, annual leave may not be used by employees to avoid forfeiture. In making this judgment, the MSFC Associate Director needs to determine:

2.2.7.1 That the exigency is of such importance employees cannot be excused from duty, including consideration of such factors as: cost, productivity, work schedules, safety, health, availability of reasonable alternatives for doing the work, and the effects of postponement or redefinition of the work requirements.

2.2.7.2 That there is no reasonable alternative to the cancellation of scheduled leave or the reassignment of individual employees who forfeit leave because of the work requirement generated by the exigency. This determination includes consideration of whether employees could be assigned to do the work other than those who would forfeit annual leave.

2.2.7.3 The specific beginning and ending dates of the exigency.

2.2.8 Restoration of Annual Leave

2.2.8.1 Restoration - Administrative Error

When an administrative error causes the loss of annual leave that was otherwise accruable, the MSFC Associate Director needs to:

- a. Examine the reasons for the error in an effort to determine the cause.
- b. Identify the corrective actions, if any, in order to prevent a recurrence of such errors.
- c. Ensure that the record substantiates the amount of annual leave to be restored. If official records are not available, an estimate of the employee's leave account is acceptable when accompanied by official statements clearly reflecting the factors which form the basis for the estimate.

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2.2.8.2 Restoration - Exigency of the Public Business

When an exigency of the public business causes forfeiture of annual leave at the end of a leave year, the leave may be restored by the MSFC Associate Director, provided:

a. The leave was scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year. To establish this fact, the following information is to be documented:

- (1) The calendar date the leave was scheduled.
- (2) The date(s) during which the leave was scheduled for use and the amount of leave that was scheduled for use.
- (3) The reasons for not approving the leave.

b. The appropriate procedures for the denial of leave are to have been followed.

c. Requests for restoration of annual leave as a result of an exigency of the public business have to be received by January 30. Any request received after January 30 may not be considered.

2.2.8.3 Restoration - Sickness

When sickness, injury, or any other medical condition for which paid sick leave would be approved causes forfeiture of annual leave at the end of the leave year, the leave may be restored by the MSFC Associate Director, provided:

a. The annual leave was scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year. To establish this fact, the following information needs to be documented:

- (1) The calendar date the leave was scheduled.
- (2) The date(s) during which the leave was scheduled for use and the amount of leave that was scheduled for use.

b. The sick leave was properly substantiated using the same criteria as for a sickness at any other time.

c. The employee was unable to use the annual leave after the sickness but before the end of the leave year. If an exigency of the public business prevented subsequent use of the annual leave, the appropriate procedures for the denial of leave are to have been followed.

2.2.8.4 Separate Leave Account

a. Establishment. Annual Leave restored to an employee that is in excess of the employee's

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maximum permissible carry-over is to be credited to a leave account that is separate from the regular leave account. This account is maintained by the NASA Shared Services Center Payroll Office.

b. Documentation. The following information is documented to support the separate leave account:

(1) The MSFC Associate Director's approval of the restoration of annual leave including:

(a) The date the leave was restored for use.

(b) The amount restored.

(c) The date by which restored leave has to be used. Generally, restored annual leave has to be used no later than the end of the leave year ending 2 years after restoration.

(2) The usage and balance.

2.3 SICK LEAVE

2.3.1 Crediting and Accrual

Sick leave is credited and becomes available for use at the beginning of the pay period during which it may be earned, with no limitation on the amount which may be accumulated.

Regardless of their length of service, employees accrue sick leave at one of the following rates:

2.3.1.1 Full-Time Employees - Four hours for each full pay period.

2.3.1.2 Part-Time Employees - One hour for each 20 hours in a pay status.

2.3.2 Use of Sick Leave

Employees may use sick leave for the following reasons:

2.3.2.1 To receive medical, dental, or optical examinations or treatment.

2.3.2.2 When incapacitated for the performance of their duties by physical or mental illness, injury, pregnancy, or childbirth.

2.3.2.3 To provide care for family members who are incapacitated or who are seeking medical examinations or treatment (limitations are described in Section CH2.3.6).

2.3.2.4 To care for a family member with a serious health condition (limitations are described in Section CH2.3.7).

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2.3.2.5 When making arrangements for or attending the funeral of a family member.

2.3.2.6 When their presence on the job could jeopardize the health of other employees because of their exposure to a communicable disease.

2.3.2.7 When the employee has to be absent from duty for purposes relating to the 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. Sick leave for bonding time is normally only as prescribed by the adoption agency.

2.3.3 Notification of Absence

An employee who is absent on account of sickness notifies their team leader, assistant manager or supervisor or other appropriate person as early as practicable on the first day of such absence, or as soon thereafter as possible. Bargaining unit employees may refer to the appropriate collective bargaining agreement.

2.3.4 Doctor's Certification

2.3.4.1 A doctor's certification is not normally required for periods of absence for sick leave of 3 days or less. For absences in excess of 3 workdays, or for a lesser period when determined to be necessary by the supervisor, a medical certificate, or other administratively acceptable evidence as to the reason for the absence may be required.

2.3.4.2 When the supervisor determines it is necessary to require a medical certificate for periods of absence of less than 3 workdays, advance notice may be given to an employee. This is necessary so that if illness occurs the employee may be on notice that they have to immediately obtain the services of a physician or other practitioner.

2.3.5 Advancing Sick Leave

2.3.5.1 Under certain conditions, sick leave may be advanced to employees. These advances are subject to the following limitations:

- a. All accumulated sick leave to the employee's credit has to be exhausted.
- b. Temporary employees are not advanced sick leave which may exceed an amount which it is reasonably assured may be subsequently earned.
- c. Sick leave advanced to an employee may never exceed 30 days at any one time.
- d. There has to be a reasonable assurance that the employee may return to duty.

2.3.5.2 Application for advanced sick leave may be processed in accordance with instructions contained on the NASA Shared Services Center (NSSC) Webpage. The NSSC Webpage address is: <https://www.nssc.nasa.gov/leave>

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2.3.5.3 Application for advanced sick leave has to be made by the employee in writing to their supervisor and has to be accompanied by a supporting doctor's letter. OPM Form 71, Request for Leave or Approved Absence, is to be used to make application. The application may state in block 6, Remarks, whether the sick leave may be used continuously or intermittently within a specified period of time. The supervisor may initial in block 3, Organization, of the OPM Form 71 as an indication that they have seen the request and make any comments they wish to make in block 6, Remarks. The supervisor's initials certify that they have personally investigated and found this to be a deserving case for the advancement of sick leave, that the employee's performance and conduct are satisfactory, and that the amount of advanced sick leave does not exceed the amount that is reasonably expected the employee may later accrue. The employee or a designated representative in the employee's organization may then fax the OPM Form 71 and medical documentation to the NSSC Human Resources (HR) at the fax number designated on the NSSC Webpage. NSSC HR is the approving authority. Upon approval, NSSC HR may notify NSSC payroll, which may input the information into the Department of the Interior (DOI) Federal Personnel and Payroll System (FPPS). If the request is disapproved, the employee and supervisor are notified by NSSC HR. [OPM Form 71](#)

2.3.6 Sick Leave For Family Care And Bereavement Purposes (Previously referred to as Family Friendly Leave)

2.3.6.1 Description

Within prescribed limits, employees may charge up to 104 hours of sick leave for family care for any of the same reasons for which employees themselves would be granted sick leave. The 104 hours is per leave year. Sick leave also may be charged when an employee makes arrangements for or attends the funeral of a family member. Family members are described as follows:

- a. Spouse and spouse's parents;
- b. Children, including adopted children, and spouses thereof;
- c. Parents;
- d. Brothers and sisters, and spouses thereof; and
- e. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

2.3.6.2 Leave Use

Sick leave may be used for the following reasons:

- a. To provide care for a family member as a result of physical or mental illness, injury, pregnancy, or childbirth;

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- b. To provide care for a family member as a result of medical, dental, or optical examination or treatment; or
- c. To make arrangements necessitated by the death of a family member or attend the funeral of a family member.

2.3.6.3 Advanced Sick Leave

Employees may be advanced the 40 hours of sick leave, which is available to employees regardless of their sick leave balance. However, employees may not be advanced sick leave to meet the 80-hour minimum leave balance that has to be maintained in order to use up to 104 hours of sick leave for these purposes.

2.3.7 Sick Leave to Care for a Family Member with a Serious Health Condition

MSFC employees are entitled to use up to 12 weeks of accrued or advanced sick leave each leave year to care for a family member with a serious health condition.

2.3.7.1 Leave Use

If an employee previously has used any portion of the 104 hours of sick leave for family care or bereavement purposes (as described in section CH2.3.6 above) in a leave year, that amount has to be subtracted from the 12-week entitlement. If an employee has already used 12 weeks of sick leave to care for a family member with a serious health condition, he or she cannot use an additional 13 days in the same leave year for family care purposes. An employee is entitled to a total of 12 weeks of sick leave each year for all family care purposes.

2.3.7.2 Family members include:

- a. Spouse, and parents thereof;
- b. Children, including adopted children, and spouses thereof;
- c. Parents;
- d. Brothers and sisters, and spouses thereof; and
- e. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

2.3.7.3 Serious Health Conditions

Serious health conditions include such conditions as cancer, heart attacks, strokes, severe injuries, Alzheimer's disease, pregnancy, and childbirth. The term "serious health condition" is not intended to cover short-term conditions for which treatment and recovery are very brief. Conditions such as the common cold, the flu, earaches, upset stomach, headaches (other than

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migraines), routine dental or orthodontia problems are not serious health conditions unless complications arise. MSFC may require medical certification of a serious health condition.

2.3.7.4 Advanced Sick Leave: Employees may be advanced up to 240 hours of sick leave for this purpose.

2.4 VOLUNTARY LEAVE TRANSFER PROGRAM

2.4.1 Definitions

2.4.1.1 Family member: (1) Spouse, and parents thereof; (2) Children, including adopted children, and spouses thereof; (3) Parents; (4) Brothers and sisters, and spouses thereof; and (5) Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

2.4.1.2 Leave donor: An employee whose voluntary request for the transfer of annual leave to the leave account of another employee has been approved.

2.4.1.3 Leave recipient: An employee whose application to receive annual leave from the leave account of another employee has been approved.

2.4.1.4 Medical emergency: A medical condition of an employee, or a family member of an employee, that is likely to require an employee's absence from duty for a prolonged period of time and may result in a substantial loss of income to the employee because of the unavailability of paid leave.

2.4.1.5 Voluntary Leave Transfer Program: Program under which the unused accrued annual leave of one employee may be transferred to another employee who needs such leave because of a medical emergency.

2.4.2 Application Procedures

2.4.2.1 Application to become a leave recipient may be processed in accordance with instructions contained on the NASA Shared Services Center (NSSC) Webpage. The NSSC Webpage address is: <https://www.nssc.nasa.gov/leave>. The application may be made on OPM Form 630 and may include the following information: (1) the reasons transferred leave is needed, including a brief description of the nature, severity, and anticipated duration of the medical emergency, and if it is a recurring one, the approximate frequency; and (2) a doctor's letter certifying the medical emergency. The "Deciding Official," block 18, is NSSC Human Resources (NSSC HR). The completed OPM Form 630 and the medical documentation may be faxed directly to the NSSC fax number provided on the above referenced Webpage. [OPM Form 630](#)

2.4.2.2 NSSC HR reviews the application to determine if the potential leave recipient is or has been affected by a medical emergency which may cause the employee to be absent from duty

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without available paid leave for at least 24 hours. Approval of the application by NSSC HR may result in other employees being able to request their annual leave be transferred to the account of the leave recipient.

2.4.2.3 NSSC HR notifies the applicant as to whether or not their application has been approved. In the event an applicant is disapproved as a leave recipient, the NSSC HR may notify the applicant of the reason(s) for the disapproval.

2.4.3 Transfer Program

2.4.3.1 MSFC employees may submit voluntary written requests to have a specified number of hours of accrued annual leave transferred from their leave account to the donated leave account of a specified leave recipient. Individuals may complete OPM Form 630-A, Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program (Within Agency), to donate leave to an individual who is a NASA employee, including NASA employees at other NASA Centers. Only annual leave, including restored annual leave, may be transferred and employees may not transfer leave to their immediate supervisor. The completed OPM Form 630-A may be faxed directly to the NSSC fax number provided on the above referenced Webpage.

2.4.3.2 Transferred annual leave may be retroactively submitted for a period of LWOP or used to liquidate advanced sick leave. The NSSC HR establishes the beginning date of the medical emergency for which LWOP or advanced sick leave was granted.

2.4.3.3 NSSC HR accepts the transfer of annual leave from employees of other Federal agencies. MSFC employees may also donate leave to employees of other Federal Agencies. MSFC employees donating leave to employees of other Federal agencies may use OPM Form 630-B, Request to Donate Annual Leave to Leave Recipient Under the Leave Transfer Program (Outside Agency). The completed OPM Form 630-B may be faxed directly to the NSSC fax number provided on the above referenced Webpage.

2.4.4 Leave Accrual

2.4.4.1 Employees using transferred leave accrue annual and sick leave at the same rate as if the employees were in a paid leave status. Employees may not accrue more than 40 hours of annual or sick leave while using transferred leave. If an employee has more than 40 hours of annual or

sick leave in any pay period, any leave taken has to first be charged to those leave accounts before using transferred leave.

2.4.4.2 Accrued annual and sick leave become available to the employee when the employee's medical emergency is terminated or when transferred leave has been exhausted.

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2.4.5 Limitations to Donations and Usage

2.4.5.1 Normally, an employee may not donate more than half of the amount of annual leave they would accrue during the year. This limitation is without regard to the number of employees to which leave may be donated.

2.4.5.2 Donations by an employee who is projected to have annual leave that would otherwise be forfeited at the end of the year are normally limited to the number of hours the donor could use during the remainder of the leave year.

2.4.5.3 Donated annual leave may not be transferred by the leave recipient to another leave recipient, may not be included in a lump-sum payment upon separation, or be made available for re-credit upon reemployment by a Federal Agency.

2.4.5.4 The amount of leave which can normally be donated may be waived under the following conditions:

- a. A situation where absent the additional donated leave, the approved leave recipient would be in a non-pay status.
- b. A situation where an immediate family member of the leave recipient, as defined under the Family and Medical Leave Act (FMLA), wishes to donate the additional leave.
- c. The Manager of the Human Resources Services Office, or designee, determines that based on the leave donor's current balance of sick and annual leave, there is no expectation that by donating the additional leave the leave donor may become a leave recipient.

2.4.6 Restoration of Transferred Annual Leave

2.4.6.1 Any transferred annual leave remaining to the credit of a leave recipient when the medical emergency terminates may be restored to the donors based on their portion of the total number of hours donated. If the total number of eligible leave donors exceeds the total number of hours to be restored, no unused leave may be restored. Unused leave is not restored to a leave donor who is no longer working for MSFC on the date the unused leave could be restored.

2.4.6.2 At the election of the leave donor, unused leave may be restored by crediting the restored leave to the leave donors annual leave account, or by donating the restored leave in whole or in part to another leave recipient. Restored leave is subject to the maximum carry-over limitation at the end of the year.

2.5 FAMILY AND MEDICAL LEAVE

2.5.1 Definitions

2.5.1.1 FMLA: Act that established an employee's entitlement to 12 administrative workweeks

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of unpaid leave during any 12-month period for certain family and medical needs.

2.5.1.2 Family Members:

a. Parent: Either the biological parent or the person who had responsibility for the employee when the employee was a child. This does not include parents “in-law.”

b. Son or Daughter: This includes adopted, biological, or foster children; stepchildren; legal wards; or children the employee has the responsibility for even when no biological or legal relationship exists when the child is either:

(1) Under the age of 18; or

(2) 18 years old or older and incapable of self-care because of a mental or physical disability.

c. Spouse: Husband or wife. Pursuant to a marriage that is a legal union between one man and one woman, including common-law marriage.

2.5.1.3 Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves:

a. Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility.

b. Any period of incapacity requiring absence from work, school, or other regular daily activities, for more than 3 calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider.

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

d. Prenatal care.

2.5.2 Leave Entitlement

2.5.2.1 MSFC employees with at least 12 months of service, who are not serving on a temporary appointment of one year or less, are entitled to up to 12 administrative workweeks of unpaid leave for one or more of the following reasons:

a. Birth of a child of the employee and the care for that child.

b. Placement of a child with the employee for adoption or foster care.

c. Care of spouse, child, or parent of the employee with a serious health condition.

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d. Serious health condition of the employee that makes him or her unable to perform the essential functions of their position.

2.5.2.2 Employees can take only the amount of family and medical leave necessary to manage the circumstance that prompted the need for the leave.

2.5.2.3 The 12-month period normally begins on the date the employee first takes FMLA leave and continues for 12 months. An employee is not entitled to 12 additional weeks of leave until the previous 12-month period ends and an event or situation occurs that entitles the employee to another period of FMLA leave. This may include a continuation of a previous situation or circumstance. In the case of the birth or placement of a son or daughter, the employee may begin using FMLA leave prior to the date of birth or placement and the entitlement expires 12 months after that date.

2.5.2.4 Federal holidays and other non-workdays may not be counted toward the 12-week entitlement.

2.5.3 Intermittent Leave

When medically necessary, FMLA leave may be used on an intermittent basis for the care of a family member or as a result of the serious health condition of the employee.

2.5.4 Substitution of Paid Leave

An employee may elect to substitute appropriate paid time off (i.e., annual leave, sick leave, credit hours, or leave made available under the Voluntary Leave Transfer Program) for any or all of the FMLA leave to be used. Sick leave may not be substituted for unpaid leave used for bonding with a healthy baby. The substitution of leave does not extend the 12-week entitlement. An employee may not retroactively substitute paid leave for FMLA leave previously taken. An employee may not be required to substitute paid time off for FMLA leave.

2.5.5 Notice of Leave

If the need for FMLA leave is foreseeable, based on the expected birth or placement of a child or planned medical treatment, the employee provides notice of at least 30 days before the leave is to begin. If the dates of these events do not allow for a 30-day notice, the employee provides notice as soon as practicable. If the need for leave is not foreseeable, based on a medical emergency or the unexpected availability of a child, the employee provides notice of the need for leave within a reasonable period of time based on the circumstances involved. An employee may not retroactively invoke their entitlement to leave under the FMLA for a previous absence from work. However, employees who are physically or mentally incapable of invoking their entitlement to FMLA leave can retroactively invoke leave within 2 days of returning to work.

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2.5.6 Medical Certification

In situations where leave is required to be documented by medical certification, that certification is to include as much information as is necessary to determine that FMLA leave is appropriate. Medical certification has to be provided no later than 15 calendar days after the date of the request. If circumstances beyond control of the employee prevent the employee from being able to meet this 15-day requirement, the requirement may be extended up to 30 calendar days. Questions regarding what information is necessary may be referred to the Human Resources Services Office.

2.5.7 Benefits and Protections

Upon return from FMLA leave, an employee has to be returned to the same position or to an equivalent position with equivalent benefits, pay status, and other terms and conditions of employment. An employee who takes FMLA leave is entitled to maintain health benefits coverage and may choose to pay the employee share of the premium on a current basis or pay upon return to work. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

2.6 ABSENCE FOR MATERNITY REASONS

2.6.1 Definition

Pregnancy is a condition which eventually requires the employee to be absent from the job because of incapacitation. As a means of accommodating this temporary incapacitation, appropriate leave is granted to the employee; however, there is not a separate "maternity leave" as a type of leave. To the extent available, sick leave may be used to cover the time required for physical examinations and to cover the period of incapacitation. An absence covering pregnancy and confinement is to be treated like any other medically-certified temporary disability.

2.6.2 Granting Leave

The granting of leave for maternity reasons may include a combination of many separate kinds of leave. Examples include sick leave, annual leave, LWOP, and FMLA leave.

2.7 MILITARY LEAVE

2.7.1 Definition

Military leave is absence from a civilian position without charge to leave or loss of basic pay for those employees who are members of the National Guard or Reserve components of the Armed Forces.

2.7.2 Cooperation with Reserve Components

Cooperation with all reserve components of the Armed Forces may be extended by granting a

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leave of absence for military training purposes so far as practicable. Where authorization of military leave is not appropriate, or military leave has been exhausted, annual leave or LWOP, as necessary, may be authorized for this purpose.

2.7.3 Eligibility

2.7.3.1 To be eligible for military leave, employees have to be members of the National Guard or Reserve components of the Armed Forces and have to be serving in a permanent or temporary indefinite appointment.

2.7.3.2 Employees have to be on active or inactive duty or be engaged in field or coast defense training under 32 U.S.C. 502-505. For this purpose, “active duty” includes full-time duty on the active list, full-time training duty, annual training duty, and attendance while in the military service at a school designated as a service school by law or by the secretary of the military department concerned. “Inactive duty” includes special additional duties authorized by the military department concerned and performed on a voluntary basis in connection with prescribed training or maintenance activities.

2.7.3.3 In general, military leave may not be granted to an employee who is in a non-pay status when entering on military duty. However, military duty may be granted, if but for the active military duty, the employee would otherwise be in a civilian pay status.

2.7.3.4 A reservist who resigns from MSFC prior to entering on active military duty is not entitled to military leave for any portion of the period of military service, regardless of any right they may have to restoration or reemployment upon completion of military service.

2.7.4 Procedures

2.7.4.1 The military order calling the employee to active military duty is sufficient evidence for the initial authorization of military leave. Orders may be provided in making application for military leave. Upon return to civilian duty, each employee is required to furnish official evidence of performance of active or inactive military duty.

2.7.4.2 Military leave accrues at the rate of 15 calendar days (less for part-time employees) per fiscal year. Military leave which is unused by the beginning of a fiscal year is carried forward for use in addition to the days which are credited at the beginning of a fiscal year. This gives full-time employees the potential of 30 calendar days military leave during a fiscal year. Military leave is not charged for weekends or holidays which occur during the period of military service.

2.7.4.3 Employees who perform full-time military service as a result of a call or order to active duty in support of a contingency operation are entitled to 22 additional days each fiscal year. Contingency operations include military actions, operations or hostilities against enemies of the United States or any other provisions of law during a national emergency declared by the President or Congress. During this 22-day period, employees are entitled to only that part of his

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or her civilian pay which exceeds the amount of military pay received during that period.

2.7.4.4 Employees returning from active duty under the authority of Executive Order (E.O.) 13223, are granted 5 days of excused absence upon return to their civilian duties.

2.7.5 Types of Duties Not Covered

2.7.5.1 Temporary Coast Guard Reserve.

2.7.5.2 Participation in parades by member of the State National Guard.

2.7.5.3 Active duty under military orders of the governor of a state.

2.7.5.4 Training with a state guard or other military organization which is not a part of the National Guard or which was created to take the place of the National Guard in an emergency.

2.7.5.5 Active duty for training purposes by Reserve Officers of the Public Health Service.

2.7.5.6 Members of Reserve Officers' Training Corps Units at colleges and universities.

2.8 COURT LEAVE

2.8.1 Description

Permanent and temporary employees may be granted absence from duty with pay (court leave) when summoned to appear as a witness in a nonofficial capacity in a judicial proceeding to which the United States, the District of Columbia, or a state or local government is party, or for jury duty.

2.8.2 Policy

The Center Director considers it a civic responsibility of all MSFC employees to respond to calls for jury and other court services. In those instances where their services are required to meet essential work schedules and where public interests are better served by the employees remaining on duty, the request to be excused from jury duty is made through supervisory channels to the Chief Counsel. The final decision to request that any employee be excused is made by the MSFC Associate Director. Once that decision has been made, the request may be communicated by the Chief Counsel to the appropriate court.

2.8.3 Duty Status and Court Leave

2.8.3.1 Employees who are summoned or assigned by NASA, to testify in an official capacity, or produce official records on behalf of the United States Government, the District of Columbia, a State or local government, or a private party are in an official duty status (i.e., the absence is not charged to court leave).

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2.8.3.2 If an employee is on annual leave or leave without pay at the time he or she is called to perform court service in his or her official capacity, that part of the annual leave or LWOP which is covered by the court service is charged as duty status.

2.8.4 Proceedings for which Court Leave may be Granted

Judicial proceedings for which court leave may be granted include any action, suit, or other proceeding of a judicial nature, including any condemnation, preliminary, informational, or other proceeding, but does not include an administrative proceeding. Witness service for all stages of a judicial proceeding (preliminary hearing, inquest, trial, or deposition-taking) and the proceeding itself are eligible for court leave. Also included are hearings and conferences before a committing court, magistrate, commission, grand jury proceedings, coroners' inquests, and hearings and conferences conducted by a prosecuting attorney for the purpose of determining whether and if a charge may be made in a particular case.

2.8.5 Authorizing Court Leave

2.8.5.1 When an employee is in receipt of orders, a subpoena, or other summons to serve as juror or serve as witness on behalf of a party other than the United States, District of Columbia or private parties, court leave is to be granted for the day or days when service is rendered to the court. The use of court leave for such absence is mandatory in any case where an eligible employee would otherwise be in a duty or leave status. Court leave is granted only for days within the employee's regularly-scheduled tour of duty on which service is performed for the court or is held by the court pending the performance of specific services. Court leave is not granted for any period when an employee might be called for irregular or occasional overtime work.

2.8.5.2 Court leave for witness service is not available when the service is strictly on behalf of a private party, unless the other party to the proceeding is a governmental body (U.S. Government, District of Columbia, State, or local). Any appropriate form of leave may be used for this purpose.

2.8.5.3 In a judicial proceeding involving a governmental body and a plaintiff who is an employee of the Center, court leave may be granted to the employee-plaintiff only when he or she has been deposed or summoned to testify. Court leave may not be granted for time spent by the employee-plaintiff testifying on his or her own behalf. Any appropriate form of leave may be used for this purpose.

2.8.5.4 An employee scheduled to work at night may be granted court leave for that night duty when called for court service during the day on which the night tour begins or ends, but not both.

2.8.5.5 When an employee who is eligible for court leave is on annual leave at the time they are called for court service, court leave is substituted for annual leave previously granted.

2.8.5.6 An employee on LWOP may not be granted court leave when called to jury duty.

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2.8.5.7 If an employee is excused or released by the court for any day or substantial portion of a day, they are expected to return to duty, provided the return would not cause the employee hardship because of the distance from home, duty station, and the court. When 2 hours or less remains in the daily tour, employees are not normally expected to return to duty.

2.8.5.8 In order to be granted court leave, the employee has to present the court order, subpoena, or summons calling for court services, as far in advance as possible. Upon return to duty, written evidence of attendance at court is required, showing the dates and if possible, hours of attendance. Such evidence is normally obtained from the clerk of the court. Upon return from court leave, employees consult with the appropriate human resources specialist as to disposition of any fees received for duty in the court.

2.8.6 Acceptance and Retention of Court Fees

2.8.6.1 General

Reimbursement for court service or jury duty is one of two types; e.g., either salary compensation or expense money for transportation, parking, meals, and other items. The term “fees” when used in this subpart refers to salary compensation.

2.8.6.2 Witness Fees

- a. When an employee is called to serve in an official capacity as a witness for the Government, no court fees may be accepted.
- b. When an employee is called to serve in an official capacity as a witness in private litigation, authorized witness fees and allowances for travel and subsistence are to be collected and turned over to the Chief Financial Officer.
- c. In situations involving court leave, employees accept the check for witness fees from the court and forward it to the Chief Financial Officer. A personal check or money order in the same amount may be substituted for the check from the court. If the check from the court is for an amount greater than that allowed for the time for which court leave is granted, the employee retains the check and forwards to the Chief Financial Officer a personal check or money order covering the period of time covered by court leave. The Human Resources Services Office may determine the amount to be collected from the employee.
- d. Court fees may be accepted and retained by the employee if an absence for court service is not properly chargeable to court leave and for this reason is charged to annual leave or LWOP.
- e. Employees may not be granted annual leave in lieu of court leave in order to retain court fees.

2.8.6.3 Jury Fees

Fees for jury services are of two types, Federal courts and state or municipal courts.

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- a. An employee may not receive fees for jury service on regular workdays in any Federal Court, except that a part-time employee whose hours of jury duty do not conflict with regularly-scheduled hours of employment, may receive and retain the usual fee for jury service. If there is a partial conflict between regularly scheduled part-time hours of employment and the hours of jury service, the employee may not receive or retain the jury fee on a pro rata basis.
- b. Fees (salary compensation) for jury service in state or municipal courts for which an employee's absence is charged to court leave are disposed of in the same manner as witness fees. Fees received from the state or municipal courts may be retained by the employee if the jury service was performed outside the scheduled tour of duty (regular or overtime) which required no absence from normal duties.
- c. Expense money for items such as travel, meals and parking may be retained. In the state of Alabama, reimbursements in connection with jury service are in the form of travel and subsistence reimbursements and may, therefore, be retained for jury duty performed in those courts.
- d. Fees for jury service on a holiday falling within the employee's basic tour of duty may be retained by the employee provided that except for the jury duty, they would have been excused from regular duties on the holiday. Fees may also be retained for jury service on non-workdays for which the employee received no compensation.

2.9 LEAVE FOR VOTING AND VOTER REGISTRATION

2.9.1 Insofar as practicable, without interfering seriously with operations, employees who are qualified and desire to register or vote in any election are excused from duty without charge to leave as follows:

2.9.1.1 As a general rule, where polls are not open at least 3 hours either before or after the employee's regular hours of work, an amount of excused leave which permits reporting to work 3 hours after the polls open or leaving work 3 hours before the polls close, whichever requires the lesser amount of time off may be granted. For example, if an employee's scheduled work hours are from 8 a.m. to 4:30 p.m. and the polls open at 8 a.m. and close at 7 p.m., voting leave may be granted commencing at 4 p.m. If an employee's scheduled tour was from 7 a.m. to 3:30 p.m., no excused absence for voting may be granted. (The polls in the state of Alabama open at 7 a.m. and close at 7 p.m.)

2.9.1.2 Under exceptional circumstances where the general rule does not permit sufficient time, an employee may be excused for additional time as may be needed to vote depending upon the particular circumstances in the individual case but not to exceed one full day.

2.9.1.3 Employees may not be excused to vote beyond normal commuting distance if voting by absentee ballot is permitted. If an employee's voting place is beyond normal commuting distance and vote by absentee ballot is not permitted, sufficient time off to cast a ballot may be granted. Time off in excess of one day is charged to annual leave, or if annual leave is

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exhausted, to LWOP.

2.9.1.4 For employees who vote in jurisdictions which require registration in person, time off to register may be granted on substantially the same basis as for voting except that excused absence may not be granted if registration can be accomplished on a non-work day, and the place of registration is within reasonable one-day round-trip travel distance of the employee's place of residence.

2.9.1.5 Employees applying for leave to register or vote request such leave verbally in advance.

2.9.1.6 Except as provided above, if an employee is absent for the entire scheduled tour on the voting day, the absence is charged to annual leave, sick leave, LWOP, or other appropriate leave. The granting of excused leave for voting (or registration) in combination with annual leave, sick leave, or other appropriate leave on the same day is permissible provided the employee works some portion of the regularly assigned tour of duty.

2.9.2 Team leaders, assistant managers or supervisors are responsible for determining the amount of voting leave to be granted each employee consistent with the foregoing.

2.10 HOLIDAYS

2.10.1 FEDERAL HOLIDAYS

All employees including part-time employees (except experts and consultants) may be excused on officially-observed holidays without charge to leave or loss of pay. These holidays are normally observed as follows:

- a. New Year's Day - January 1
- b. Martin Luther King's Birthday - Third Monday in January
- c. President's Day - Third Monday in February
- d. Memorial Day - Last Monday in May
- e. Independence Day - July 4
- f. Labor Day - First Monday in September
- g. Columbus Day - Second Monday in October
- h. Veterans Day - November 11
- i. Thanksgiving Day - Fourth Thursday in November
- j. Christmas Day - December 25

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2.10.2 STATE OR LOCAL HOLIDAYS

Employees may not be excused without charge to leave or loss of pay solely because of the occurrence of a State or local holiday.

2.10.3 RELIGIOUS HOLIDAYS OR OBSERVATIONS

It is the policy of NASA to make possible the observance by its employees of the various established religious holidays of their faith. Insofar as practicable, employees wishing to attend and participate in such observances are permitted to be absent on annual leave for this purpose. An employee whose personal religious beliefs require that they abstain from work during certain periods of time may elect to earn compensatory time for the purpose of taking such time off without charge to leave. An employee may earn such compensatory time before or after the granting of compensatory time off. A grant of advanced compensatory time off is to be repaid by the appropriate amount of earned compensatory time within a reasonable period.

2.11 EXCUSED ABSENCES

The Associate Director retains the right to approve an excused absence for any employee or group of employees as appropriate. This approval includes, but is not limited to, excused absence granted for natural or environmental disasters, matters with potential impact on employee safety, or for facilities failures (i.e., heating, cooling, ventilation problems). The head of an organization reporting directly to the MSFC Center Director may approve excused absences for individual employees for up to 5 workdays. The Office of Human Capital approves excused absences for individual employees which exceed 5 workdays.

2.11.1 ADMINISTRATIVE APPEALS AND GRIEVANCES

An employee may be excused from work for the time required to prepare or present appeals or grievances. The excused time is appropriate for both the negotiated grievance procedures and the NASA Grievance Procedure.

2.11.2 UNION ACTIVITIES

Employees serving as representatives of labor organizations may be permitted official time to perform those functions in accordance with the appropriate union agreement.

2.11.3 BRIEF PERIODS OF ABSENCE OR TARDINESS

Unavoidable or necessary absence of less than 1 hour, or tardiness, may be excused or made up by working an equivalent length of time at the end of the same workday, or charged compensatory time, annual leave, or otherwise to LWOP. If leave is charged and such leave exceeds the period of absence or tardiness, the employee is not required to work the additional time covered by the leave charged. The leave-granting team leader, assistant manager or supervisor has the discretion of excusing the employee, charging leave, or permitting the

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employee to make the time up for such brief periods of absence or tardiness. Each team leader, assistant manager or supervisor is expected to exercise prudent judgment in administering the provisions of this paragraph. Unexcused tardiness or absence may become the basis for disciplinary action.

2.11.4 ATTENDANCE AT CONFERENCES OR CONVENTIONS

An employee may be excused from work to attend a conference or convention whenever it is determined that such attendance serves the best interest of the Government.

2.11.5 USE OF THE MSFC MEDICAL CENTER

Employees are excused to visit the MSFC Medical Center for their annual physicals, examinations, or for consultation with the Employee Assistance Program Counselor.

2.11.6 USE OF MSFC OFFICES

Time spent utilizing the services of offices such as the Human Resources Services Office, Office of the Chief Counsel, and Equal Opportunity Office regarding work-related matters may be charged to duty time.

2.11.7 BLOOD DONORS

All employees who volunteer to donate blood (or blood products) without compensation are authorized 4 hours of excused absence after the donation. The 4-hour period is in addition to the time to travel to and from the blood center and to give blood, which may also be recorded as an excused absence. A maximum of 6 hours of excused absence may be recorded for this purpose in any 56-day period. If donors are rejected, the 4-hour period is not authorized. The excused absence is to be taken on the day the blood is donated.

2.11.8 BONE MARROW OR ORGAN DONATION

MSFC employees are entitled to use up to 7 days of paid leave in a calendar year (in addition to sick or annual leave) to serve as a bone marrow donor. Employees are entitled to up to 30 days of paid leave to serve as an organ donor.

2.11.9 EXCUSED ABSENCE FOR RELOCATION

MSFC employees are authorized up to 16 hours of excused absence for taking care of necessary matters related to relocation (i.e., packing/unpacking, or waiting for movers). This includes employees being relocated to MSFC and employees being relocated to other locations for MSFC. Normally, this excused absence may be used within 180 days of the employee's relocation date.

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2.11.10 EXCUSED ABSENCE FOR CIVIL AIR PATROL

Excused absences for Civil Air Patrol (CAP) activities are generally restricted to no more than 3-5 workdays. To support the use of excused absence, CAP members provide their team leader/assistant manager/supervisor with documentation from the CAP command requesting the employee's services for the emergency operation. Due to the emergency nature of CAP activities and the need, in some cases, for the CAP member to be an early responder, members may pre-arrange agreements with their team leader/assistant manager/supervisor regarding how they notify them during duty and non-duty hours, the maximum amount of excused absence that may be approved and the plan for coverage of the employee's work functions. Employees have no entitlement to excused absence for this purpose and any authorization is with the approval of the MSFC Associate Director.

2.11.11 EXCUSED ABSENCE FOR TRAVEL

Employees who are required to perform official travel and who arrive at their residence after midnight may be granted an excused absence to provide adequate rest before reporting for work. The excused absence is one hour for each whole hour in a travel status after midnight, but not to exceed the number of hours scheduled the following workday for that employee.

2.12 USE OF COMPENSATORY TIME

2.12.1 Earned compensatory time has to be used not later than the end of the 26th full pay period after the pay period in which it was earned. Team leaders/assistant managers/supervisors are responsible for scheduling the time off for the individual concerned. Likewise, employees are responsible for taking time off. Compensatory time earned by employees exempt from the FLSA that is not used within the 26 full pay periods may be dropped from the official records except when the appropriate authority (department managers or managers reporting directly to the Center Director) has determined that the employee could not use the earned compensatory time due to an exigency of the service that was beyond the employee's control. Employees who are not exempt from FLSA and who do not use compensatory time within 26 pay periods are paid for such compensatory time at their normal overtime rate. Employees have up to 3 years from, May 14, 2007, to use their earned compensatory time off to their credit as of that date. At the end of the 3-year period, unused compensatory time may then be paid out in the form of overtime as described above. Employees may be provided payment for compensatory time off when they separate from federal service or are placed in an LWOP status to perform military service or due to a compensable on the job injury.

2.12.2 Requests from employees who are not exempt from FLSA to work compensatory time in lieu of overtime is to be in writing and maintained by the approving official.

2.13 COMPENSATORY TIME OFF FOR TRAVEL

2.13.1 Compensatory time off for travel is different from other compensatory time. Compensatory time off for travel may be earned by an employee for time spent in a travel status

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away from the employee’s official duty station when such time is not otherwise compensable. A “travel status” includes only the time actually spent traveling between the official duty station and a TDY station, or between two TDY stations. Permanent Change of Station travel is not considered time in a “travel status” for the purpose of earning compensatory time off for travel.

2.13.2 Compensatory time off for travel may be earned by an employee without regard to whether the employee is covered by, or exempt from, coverage by the Fair Labor Standards Act. General Schedule (GS) Employees, Senior Level employees and Scientific and Professional employees may earn compensatory time off for travel, but Senior Executive Service employees may not.

2.13.3 Compensatory time off for travel is not considered in applying the biweekly or annual premium pay caps or the aggregate limitation on pay and there is no limitation on the amount of compensatory time off for travel an employee may earn. Payment for unused compensatory time off for travel is prohibited.

2.13.4 An employee may earn compensatory time off for travel only when the travel is officially authorized for Agency-related work purposes. When an employee travels at a time or by a route other than that selected by the Agency, or is permitted to use an alternative mode of transportation, the Agency determines the estimated amount of time in a travel status the employee would have used by traveling at the time or by the route selected by the Agency, or by the mode of transportation offered by the Agency. In determining “time in a travel status” the Agency credits the employee with the lesser of the estimated time in a travel status or the actual time in a travel status.

2.13.5 Normally, compensatory time off travel is forfeited: (1) If not used by the end of the 26th pay period after the pay period during which it was earned; (2) Upon voluntary transfer to another agency; (3) Upon movement to an uncovered position; or (4) Upon separation from the Federal Service. Exceptions to the forfeiture rule for employees who separate or are placed in an LWOP status and later return following uniformed service or an on-the-job injury, and for employees who are unable to use accrued compensatory time off for travel because of an exigency of the service beyond the employee’s control are described in 5 CFR 550.1407.

2.14 LEAVE WITHOUT PAY

2.14.1 Description and Use

Leave without pay is a temporary non-pay status and absence from duty granted upon the employee’s request. Except in the case of LWOP under the FMLA, an employee cannot demand that LWOP be granted as a matter of right. Use of LWOP is not normally granted to an employee who has a credit of annual leave. When an employee’s absence in a non-pay status totals 80 hours during any leave year, their credit for annual and sick leave is reduced by the amount of leave that would be earned during a pay period.

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2.14.2 Short Periods of LWOP

A team leader/assistant manager/supervisor may approve short periods of LWOP on the same basis as they would otherwise grant sick or annual leave. Accounting for LWOP is in increments of one-quarter hour.

2.14.3 Extended LWOP

2.14.3.1 A basic condition to the approval of extended LWOP is the reasonable expectation that the employee may return to work at the end of the approved period. Exceptions to this condition include employees awaiting the approval of a claim for disability retirement, employees receiving compensation from the Office of Workers' Compensation, and employees seeking Federal employment in another locality. In other situations, at least one of the following benefits result from the granting of LWOP:

- a. Increased job ability.
- b. Protection or improvement of employee's health.
- c. Retention of a desirable employee.
- d. Furtherance of a program of interest to the Government.

2.14.3.2 LWOP which is 30 calendar days or less in duration can be approved by the employee's immediate supervisor. No documentation of this action is required.

2.14.3.3 LWOP may be requested for the duration that the period of LWOP is anticipated to last, but not exceed 1 calendar year. Periods which exceed 1 calendar year may be approved only in unusual circumstances. The following documentation is required by the Human Resources Services Office for periods of LWOP in excess of 30 calendar days (MSFC Form 4284 is available for the employee's request and the supervisor's certification.) [MSFC Form 4284](#)

- a. The employee's request - including the reason, effective date, duration, appropriate substantiating documents, and certification of employee's intent to return to duty at MSFC.
- b. The supervisor's certification - including the benefit to be derived by MSFC (as listed in 2.14.3.1 above) and department or office-level concurrence.
- c. Latest Employee's Standard Form 52.

2.15 ABSENCE WITHOUT LEAVE

Absence without leave (AWOL) is an absence from duty that has not been authorized or approved. This type of absence may serve as a basis for disciplinary action in addition to

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denying pay for the entire period of absence. AWOL is credited in increments of one-quarter hour.

2.16 VOLUNTARY LEAVE BANK

2.16.1 The Leave Bank is a pooled fund of annual leave established in accordance with 5 CFR Part 630, Subpart J, which allows employees to donate unused accrued annual leave to be used by any member of the Leave Bank for personal and family medical emergencies, provided certain other criteria are also met.

2.16.2 Any current full or part-time NASA civil service employee who earns annual leave and contributes at least the minimum amount of annual leave as established by the Leave Bank Board (the Board) may participate in the Voluntary Leave Bank Program (VLBP).

2.16.3 Leave in the Leave Bank will only be available to members of the Bank. To become a Leave Bank Member, employees are required to enroll during an open or individual enrollment period and donate the requisite amount of hours of annual leave as described in Chapter 4 of NPR 3600.3. See NPR 3600.3 for complete information regarding the VLBP.

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APPENDIX A. References

A.1 5 U.S.C. § Section 61, Subpart E, Attendance and Leave Hours of Work

A.2 5 U.S.C. § Section 63, Subpart E, Attendance and Leave

A.3 32 U.S.C. §§ 502-505 (CH2.7.3.2), Training

A.4 5 CFR 550 (CH1.8.2), Pay Administration

A.5 5 CFR 610, Hours of Duty

A.6 5 CFR 630, Absence and Leave

A.7 Executive Order (E.O.) 13223 (CH2.7.4.4), Ordering the Ready Reserve of the Armed Forces to Active Duty and Delegating Certain Authorities to the Secretary of Defense and the Secretary of Transportation

A.8 NPD 3000.1, Management of Human Resources

A.9 NPR 3600.1, Attendance and Leave

A.10 NPR 3600.2, NASA Telework Program

A.11 NPR 3600.3, NASA Voluntary Leave Bank Program

A.12 MPR 3000.1, MSFC Telework Program

A.13 MSFC Form 4379

A.14 OPM Form 71

A.15 OPM Form 630

A.16 MSFC Form 4284