



ADS Chapter 480

Leave Program

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****This chapter has been revised in its entirety.***

Table of Contents

480.1 OVERVIEW..... 4

480.2 PRIMARY RESPONSIBILITIES 5

480.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES 7

480.3.1 Leave Administration..... 7

480.3.2 Annual Leave..... 8

480.3.2.1 Scheduling, Requesting, Approving, Canceling, and Denying 10

 Annual Leave 10

480.3.2.2 Annual Leave Accumulation Ceilings 10

480.3.2.3 Restoring Annual Leave Subject to Forfeiture..... 11

480.3.2.4 Time Limit for Use of Restored Annual Leave..... 13

480.3.2.5 Disposition of Unused Restored Annual Leave 14

480.3.2.6 Advanced Annual Leave 14

480.3.2.7 Refunding Leave Erroneously Credited or Used 15

480.3.2.8 Granting Annual Leave Before Separation..... 15

480.3.2.9 Lump-Sum Payment for Annual Leave 16

480.3.2.10 Annual Leave in Lieu of Non-Pay Status during Suspension 17

480.3.3 Sick Leave 18

480.3.4 Home Leave..... 22

480.3.4.1 Effect of Resident-Hire Employment 23

480.3.4.2 Other Considerations of Home Leave..... 24

480.3.4.3 Home Leave Followed by an Assignment Abroad..... 24

480.3.4.4 Home Leave in Connection with an Assignment in the United 25

 States..... 25

480.3.5 Administrative Leave (Excused Absence)..... 26

480.3.5.1 Paid Parental Leave (PPL)..... 28

480.3.5.2 Parental Bereavement Leave..... 28

480.3.5.3 Weather and Safety Leave..... 29

480.3.5.4 Local Holidays..... 31

480.3.5.5 Military Leave..... 31

480.3.5.6 Disabled Veteran Leave 32

480.3.5.7 Military Spouse Leave..... 33

480.3.5.8 Court Leave..... 33

480.3.5.9 Transit Time 33

480.3.5.10 Leave for Religious Holidays..... 35

480.3.5.11 Voting Leave 36

480.3.5.12 Transition Leave..... 37

480.3.5.13 Packing and Unpacking Effects..... 38

480.3.5.14 Funeral Leave 38

480.3.6 Other Excused Absence 40

480.3.7 Leave Without Pay 41

480.3.7.1 LWOP Approval Requirements 42

480.3.8 Absence without Leave (AWOL) 43

480.3.9 Leave for Seeking Safety and Recovery from Domestic Violence, ..
Dating Violence, Sexual Assault, or Stalking 44

480.3.10 Workers Compensation Buy Back of Leave (Leave Repurchase) ..
..... 44

480.3.11 Disposition of Leave Balances 45

480.4 MANDATORY REFERENCES 45

480.4.1 External Mandatory References..... 45

480.4.2 Internal Mandatory References..... 46

480.4.3 Mandatory Forms 46

480.5 ADDITIONAL HELP 47

480.6 DEFINITIONS 47

ADS 480 – Leave Program

480.1 OVERVIEW

Effective Date: 05/28/2024

This chapter covers the administration of paid and unpaid leave for all U.S. direct hire employees:

- Foreign Service (FS) including Foreign Service Limited (FSL),
- Senior Foreign Service (SFS),
- Senior Executive Service (SES),
- Senior-Level (SL),
- Scientific Technical Professional (ST),
- Administratively Determined (AD), and
- Civil Service (CS), including Schedule C employees and experts and consultants serving under appointments of 90 days or more, who have a regularly scheduled tour of duty, except as specifically noted.

Employees not covered by this chapter are:

- Part-time employees who do not have established regular tours of duty during the administrative workweek;
- Foreign Service National (FSN) direct hires, Cooperating Country National Personal Services Contractors (CCNPSCs), and Third Country National Personal Services Contractors (TCNPSCs) compensated under a Local Compensation Plan (LCP),
- Employees hired under Personal Services Contracts (PSCs) or intermittent appointments; and
- Members of the SFS and Foreign Service Officers (FSOs) serving under Presidential appointments (e.g., Chiefs of Mission, Executive Schedule positions, and in rare instances, certain statutory rate or AD positions) effective after October 21, 1991, who elect to serve during the period of the Presidential appointment in Presidential Appointee (PA) pay and leave status (see section **480.3.11**).

This ADS chapter is supplemented by Agency Notices issued by the Office of Human Capital and Talent Management (HCTM). These notices can be found on

the [Agency Notices website](#) (this link is only accessible on the USAID Intranet). HCTM issues Agency Notices when new fact sheets and regulations are issued by the United States Office of Personnel Management (OPM) and when HCTM announces updates to policies and procedures to comply with these OPM issuances.

Through our leave program, USAID commits to strengthening accountability and promoting and sustaining a diverse workforce and an inclusive culture for everyone in the workplace.

480.2 PRIMARY RESPONSIBILITIES

Effective Date: 05/28/2024

- a.** The **Administrator** is responsible for delegating authority to individuals to act as:
1. Decision officers in determining when exigencies of the public business exist; and
 2. Approving officers for restoration of leave, due to exigencies of the public business.
- b.** **Assistant Administrators (AAs), Independent Office Directors, and Mission Directors (MDs)** (referred to as Decision Officer) are responsible for:
1. Determining when an exigency of business operations exists, and
 2. Approving/disapproving requests for restoration of leave forfeited.
- c.** The **Office of Human Capital and Talent Management (HCTM) Chief Human Capital Officer (CHCO)** is delegated responsibility for the proper administration of USAID's Leave Program.
- d.** The **Director, Office of Human Capital and Talent Management, Human Capital Services Center (HCTM/HCSC)** is responsible for:
1. Administering the Leave Program for the General Schedule (GS) workforce;
 2. Making the final determination on a candidates' qualifying prior work experience; and
 3. Approving requests for absence, due to hostile action abroad, without charge to leave.
- e.** The **Director, Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC)** is responsible for:

1. Administering the Leave Program for the FS workforce,
 2. Making final determination on Leave Without Pay (LWOP) requests of more than 80 hours for FS career candidate employees and LWOP requests of more than 90 days for career FSOs, and
 3. Approving requests for delay or fragmentation of home leave by employees assigned to Senior Leadership Group (SLG) positions and by employees on home leave/transfer orders.
- f. The **Office of General Counsel, Ethics and Administration (GC/EA)** is responsible for providing legal support to HCTM and supervisors regarding all aspects of this ADS chapter.
- g. The **Office of Civil Rights (OCR)** is responsible for providing equitable, fair, and inclusive advice to HCTM and supervisors regarding LWOP and reasonable accommodation leave aspects of this ADS chapter.
- h. The **Bureau for Management, Office of the Chief Financial Officer, Payroll Division (M/CFO/P)** is responsible for:
1. Conducting leave audits,
 2. Making the final determination on leave restoration requests,
 3. Processing leave restoration requests, and
 4. Processing recredited sick leave hours in the automated time and attendance system.
- i. **Human Resources Specialists**, in HCTM/HCSC and HCTM/FSC, are responsible for:
1. Assessing a candidate's skills and experiences for determining their annual leave accrual rate, and
 2. Assessing a candidate's potential eligibility for disabled veteran leave benefits during the onboarding process.
- j. **Administrative Management Services (AMS) Staff and Mission Executive Officers (EXOs)** are responsible for:
1. Verifying that employees requesting restoration of forfeited leave meet all procedural requirements, and
 2. Taking appropriate action on leave restoration requests by the Agency

deadline.

- k. Supervisors** (also referred to as Approving Officers) are responsible for:
1. Understanding the rules and regulations related to leave and approving leave, in accordance with the guidance in this ADS chapter;
 2. Managing and approving leave based on the Operating Unit's (OU) needs; and
 3. Ensuring employees under their supervision are informed of the procedures they must follow for requesting and using leave.
- l. Employees** are responsible for:
1. Complying with federal and Agency requirements governing leave usage, including the proper submission/approval of leave requests and leave documentation requirements;
 2. Coordinating with their supervisor when planning leave to ensure the needs of the OU are considered, identifying the appropriate leave category to use, and resolving leave errors; and
 3. Monitoring leave usage throughout the year for data accuracy and planning purposes.
- m. Timekeepers** are responsible for indicating the number of hours the employee has been charged with an absence without official leave in the time and attendance system.

480.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

480.3.1 Leave Administration

Effective Date: 05/28/2024

The Foreign Affairs Manual (FAM) and the associated Foreign Affairs Handbook (FAH) cover many leave situations for USAID employees. Where differences exist between the FAM/FAH and Agency-specific policy and essential procedures, this ADS chapter has precedence.

Unless otherwise stated, USAID adheres to leave administration policy in [3 FAM 3300](#). Leave procedures are located in [3 FAH-1 H-3310](#). Information about the Agency's time and attendance system and policies can be found in [ADS 626, Payroll and Time and Attendance Transactions](#).

The [National Finance Center-Employee Personal Page](#) (NFC-EPP) allows employees to view their leave information, plan their leave usage, and maintain

their leave history. The leave calculator also displays the user's projected end-of-year annual leave accruals and, if the balance is greater than their annual leave cap, their projected use-or-lose leave balance.

480.3.2 Annual Leave

Effective Date: 05/28/2024

An employee may use annual leave for any purpose, to include vacations, rest and relaxation, and personal business or emergencies. Employees must request and schedule leave in advance to achieve work-life balance, assuming the absence of critical OU needs (see [3 FAM 3410](#) and section **480.3.2.1**).

Supervisors must grant employees' requests to use accrued annual leave unless adjustments are required to meet the needs of the OU. If a supervisor cannot approve an employee's leave for the period requested, the supervisor and employee must work out a mutually acceptable time for scheduling the leave.

An employee receives a lump-sum payment for accumulated and accrued annual leave when they separate from federal service or enter active duty in the Armed Forces and elect to receive a lump-sum payment. The Agency adheres to the policies and procedures for annual leave in [3 FAM 3410](#) and [3 FAH-1 H-3400](#) and the regulations in [5 CFR 630, Subpart B](#) and [5 CFR 630, Subpart C](#).

a. Annual Leave Accrual Rates

Annual leave accrual rates for full and part-time employees are depicted in the chart below:

Employee Type	<i>Less than 3 years of service</i>	<i>3 years but less than 15 years of service</i>	<i>15 or more years of service</i>
Full-time employees	½ day (4 hours) for each pay period (13 days)	¾ day (6 hours) for each pay period except 1¼ day (10 hours) in last pay period (20 days total)	1 day (8 hours) for each pay period (26 days)
Part-time employees	1 hour for each 20 hours in a pay status	1 hour for each 13 hours in pay status	1 hour for each 10 hours in pay status
Uncommon tours of duty	(4 hours) times (average # of hours per biweekly pay period) divided	(6 hours) times (average # of hours per biweekly pay period) divided by 80 = biweekly accrual rate	(8 hours) times (average # of hours per biweekly pay period) divided by 80

Employee Type	<i>Less than 3 years of service</i>	<i>3 years but less than 15 years of service</i>	<i>15 or more years of service</i>
	by 80 = biweekly accrual rate		= biweekly accrual rate

Employees in SES, SFS, SL, and ST positions, and employees in equivalent pay systems, as determined by OPM, accrue eight hours for each pay period, regardless of years of service (see [Extension of Higher Annual Leave Accrual Rate to SES and SL/ST Equivalent Pay Systems](#) fact sheet).

Note: A temporary employee with an appointment of fewer than 90 days is entitled to accrue annual leave only after being currently employed for a continuous period of 90 days under successive appointments, without a break in service. After completing the 90-day period of continuous employment, the employee is entitled to be credited with the leave they would have accrued to them during such a period.

For more information regarding annual leave accrual rates, see [3 FAH-1, H 3412](#) and OPM's Fact Sheet located at: <http://www.opm.gov/oca/leave/HTML/ANNUAL.asp>.

b. Charging Annual Leave

The minimum charge for annual leave in the time and attendance system is one quarter hour (15-minute increments) and additional charges are in multiples thereof.

Involuntary Charges: Bureau and Independent Offices (B/IOs) determine whether to close an office when:

- Normal operations are interrupted by events beyond the control of management or employees;
- The closing of an establishment is required for short periods of time; or
- Employees are released from work to participate in civil activities the Federal Government is interested in encouraging.

When an office is closed, compensation may not be withheld for employees who have a regular tour of duty, and whose appointments are not less than 90 days, or who have been currently employed for a continuous period of 90 days, under one or more appointments, without a break in service. During periods when offices are closed, employees who have annual leave or compensatory time to their credit, may be required by administrative action to take such leave.

c. Crediting Prior Service for Determining Annual Leave Accrual Rate

Newly appointed or reappointed employees covered under the federal annual and sick leave program may be given service credit for prior non-federal experience which otherwise would not be creditable for the purpose of determining the biweekly annual leave accrual rate. This human resources flexibility is intended to assist agencies in recruiting individuals with the skills and experience necessary to achieve an important USAID mission or performance goal. [Section 202\(a\) of the Workforce Flexibility Act of 2004](#) (Public Law 108-411) and [5 CFR Part 630.205](#) establishes policy for crediting prior federal and non-federal work experience and experience in the Uniformed Service for annual leave accrual.

The Human Resources Specialist must confirm the determination to give service credit before the employee enters on duty. Credited service for annual leave accrual is applied to the first pay period, following the appointment.

For additional information, hiring managers, supervisors, and AMS officers should consult [ADS 480mab, Provision for Crediting Prior Service for Determining Annual Leave Accrual Rate](#) and contact their servicing Human Resources Specialist with questions.

480.3.2.1 Scheduling, Requesting, Approving, Canceling, and Denying Annual Leave

Effective Date: 05/28/2024

Employees must schedule annual leave, in advance, except in cases of emergency when leave cannot be scheduled in advance. In the case of an emergency, the employee must notify the supervisor of the leave as soon as possible. Supervisors must consider the OU's needs and work requirements when deciding to approve or deny annual leave requests; leave cannot be denied or canceled for arbitrary or capricious reasons. Supervisors must provide a statement explaining the business reason the leave was denied or canceled. Employees should work with their supervisor to reschedule the leave in the time and attendance system.

Employees must record annual leave for actual leave taken on their timesheet, using prescribed procedures in the time and attendance system. Supervisors must ensure an employee's leave is correctly recorded in the time and attendance system. Annual leave cannot be retroactively substituted for sick leave to avoid forfeiture.

480.3.2.2 Annual Leave Accumulation Ceilings

Effective Date: 05/28/2024

The maximum amounts of annual leave allowed to be carried over into the new leave year are:

- **SES and SFS employees** are subject to a leave ceiling of 720 hours.

- **Senior-Level and Scientific or Professional employees** are subject to a leave ceiling of 720 hours.
- **Employees currently stationed at overseas positions** are subject to a leave ceiling of 360 hours. This does not apply to a Domestic Employee Teleworking Overseas (DETO) who occupies an overseas position but is assigned to a domestic position (see [ADS 405](#)).
- **Employees assigned to positions in the United States** are subject to a leave ceiling of 240 hours.
- **Employees previously assigned to an overseas position:** At the time of official reassignment to a position in the United States, an employee's leave balance in excess of 240 hours (but not exceeding 360 hours) becomes the employee's new leave ceiling. At the beginning of each subsequent leave year, the employee is assigned to a position in the United States and their leave ceiling is reduced, at a declining rate, to the employee's actual leave balance or the prior year's leave ceiling, whichever is less. Under no circumstances may the leave ceiling of an employee in this category exceed the leave balance at the time the employee was reassigned to a position in the United States, or 360 hours, whichever is less.

See [5 CFR 630.301](#), [5 CFR 630.302](#), [3 FAH-1 H-3414 through 3416](#) and [OPM's Annual Leave Fact Sheet](#) for additional information.

480.3.2.3 Restoring Annual Leave Subject to Forfeiture

Effective Date: 05/28/2024

Employees must schedule annual leave in advance, in writing, before the start of the third biweekly pay period prior to the end of the leave year in order to be considered for leave restoration (see [3 FAM 3414.4](#)). Except for employees who fall under the determination of "National Emergency by Reason of Certain Terrorist Attacks," the Agency only allows annual leave to be restored when it was scheduled and forfeited, due to:

- Administrative Error:** Annual leave forfeited due to administrative error, through no fault of the employee, may be restored. There are two kinds of administrative errors:
 - A non-discretionary regulation was not carried out (e.g., the approving officer failed to approve the leave the employee requested in the time and attendance system) or, if it is not possible to approve for the time requested, at some other mutually acceptable time; or
 - A time and attendance error occurred as a result of manual and system generated issues. Where an incorrect application of a rule or

system generated error is detected, M/CFO/P must be notified to conduct the analysis and audit related to the individual or group of employees affected.

In the rare instance where historical records to support restored leave are not available, employees may provide a statement with facts to support their request for restored leave. The facts must include information related to the timekeeper and supervisor of record for the period related to the requested leave to be restored. Prior to M/CFO/P's determination of whether the amount of leave should be restored, the Payroll Division Chief must review and approve the facts for merit.

- b. Exigency of the Public Business:** The decision officer must have made a written determination, in advance of canceling the employee's annual leave, that an exigency of the public business existed and there was no alternative to cancellation of the leave.

The forfeited annual leave must have been requested and approved in the time and attendance system before the start of the third biweekly pay period, prior to the end of the leave year. The approving officer must provide a signed and dated statement, describing in detail, the reason(s) and inclusive dates the leave was canceled. The leave restoration request must include the:

- Original, approved request for leave;
- Decision officer's determination; and
- Approving Officer's statement.

Overseas employees must submit requests for annual leave restoration to the post EXO for forwarding to M/CFO/P. USAID/Washington (USAID/W) employees submit requests through their supervisor to their AMS offices.

- c. Illness of the Employee:** Annual leave may be restored if it was forfeited, due to the illness of the employee occurring late in the leave year or was of such duration the scheduled annual leave was not rescheduled prior to the end of the leave year. The annual leave, which was canceled, must have been approved by the supervisor in the time and attendance system before the start of the third biweekly pay period, prior to the end of the leave year. As soon as possible after the forfeiture of leave becomes a matter of record, the employee must submit a restoration request, as instructed in HCTM's annual Agency Notice. The request must include the:

- Approved request for sick leave, in lieu of a previously approved request for annual leave; and

- Supervisor's written statement approving the employee's request for restoration of annual leave. The Payroll Office makes the final determination on how many hours of forfeited annual leave can be restored, based on a review of the documentation required in this section and an audit of the employee's leave records.

Note: This provision does not apply to employees whose services are determined to be necessary to respond to the "National Emergency by Reason of Certain Terrorist Attacks" (when authorized by the President and published in the Federal Register). Such employees can have their leave restored without the administrative burden of scheduling and canceling the leave. In addition, the time limitations for using restored annual leave are suspended for the entire period during which the employees' services are determined to be essential for activities associated with the national emergency. At the end of the national emergency, or when the services of the employee no longer are determined to be necessary, a new time limit is established in accordance with leave restoration regulations (see section **480.3.2.4a**).

480.3.2.4 Time Limit for Use of Restored Annual Leave

Effective Date: 05/28/2024

Except for employees who fall under the determination of "National Emergency by Reason of Certain Terrorist Attacks," employees must use restored annual leave within the time limits defined below.

- a. **Exigency, Sickness, and Administrative Error:** Annual leave restored due to exigency of the public business, sickness, or administrative error must be scheduled and used no later than the end of the leave year, ending two years after the date:
 - Of restoration of the leave forfeited because of administrative error;
 - Determined by the decision officer as the termination date of the exigency of the public business which resulted in the forfeiture;
 - The employee is determined to be recovered and able to return to duty if the leave was forfeited due to sickness; or
 - M/CFO/P verifies leave was forfeited because of an error in the records.
- b. **Extended Exigency of the Public Business:** Leave restored, due to extended exigency, must be scheduled and used within a time period equal to twice the number of full calendar years, or parts thereof, the exigency existed. This time period begins at the beginning of the leave year, following the leave year in which the decision officer determined the exigency ended.

c. Former Missing Employees: OPM determines time limits on a case-by-case basis.

480.3.2.5 Disposition of Unused Restored Annual Leave

Effective Date: 05/28/2024

An employee must receive a lump-sum payment from the Agency for the unused restored annual leave, not used before separation, if separation occurs before the end of the specified time limit for use. The payment is at the rate in effect at the time of separation. Upon transfer to another federal agency, an employee's restored leave transfers to the gaining agency. Employees transferring to international organizations receive a lump-sum payment for unused restored leave, if the transfer occurs before the end of the specified time limit for use.

If restored leave is not used within the specific time limit, transferred, or included in a lump-sum payment, it is forfeited and may not be restored again (see [5 CFR 630.306](#)).

Unused restored annual leave may be transferred or donated under the Voluntary Leave Transfer Program (see [ADS 482, Voluntary Leave Transfer Program](#)) or used as substitution for unpaid leave under the Family Medical Leave Act (FMLA) (see [ADS 481, Family and Medical Leave \(FML\)](#)).

480.3.2.6 Advanced Annual Leave

Effective Date: 05/28/2024

An employee appointed in a position lasting 90 days or longer may be advanced annual leave, not in excess of the amount the employee would earn during the remainder of the leave year, or the amount which would accrue up to the expiration date of the appointment, whichever occurs first. Applications for advanced annual leave are considered based upon the merits of the individual case. Absence for a period in excess of the amount of annual leave earned, unless approved as prescribed, may be approved as leave without pay.

Employees initiate requests for advanced annual leave in the time and attendance system. When it is known or reasonably expected that the employee may not return to pay status long enough to earn the leave back by the end of the leave year, then the supervisor must not approve advanced annual leave.

Advanced annual leave is generally repaid by subsequently earned annual leave. Employees subject to the requirement to repay advanced annual leave who are separated from employment are required to refund the amount paid to the employee covering the period of advanced leave for which the employee is indebted via a payment to the Agency or a deduction in any pay due to the employee. Employees are required to repay advanced annual leave, except in very limited circumstances - e.g., disability retirement, disability separation, or death.

See [3 FAM 3416.1](#), for more information.

480.3.2.7 Refunding Leave Erroneously Credited or Used

Effective Date: 05/28/2024

The Agency adheres to the policy and procedures in [3 FAM 3416](#), as follows:

Reductions to an employee's annual leave accruals will be made when the employee has periods of non-pay status which results in a final deficit in the annual leave balance at the end of the leave year. The deficit amount is carried over to the next leave year unless the employee chooses to liquidate the indebtedness by refund.

If a deficit results from erroneous computations or an advance in excess which could be earned during the leave year, the indebtedness must be liquidated by a refund of the amount paid for the period of such excess. If necessary, the Agency will seek a refund through payroll deductions.

M/CFO/P must issue a notice of repayment to an employee who is erroneously credited leave or who used leave, in excess of the amount to which the employee is entitled. Refund of erroneously credited or used annual leave may be made by:

- Lump-sum payment in dollars equivalent to the dollar value of the leave at the time it was used;
- Installment payments in dollars (with interest charges at current Treasury rates applicable);
- One-time payment in an amount equivalent to accrued annual leave; or
- A debit carried forward as a charge against annual leave earned in the following year.

480.3.2.8 Granting Annual Leave Before Separation

Effective Date: 05/28/2024

USAID adheres to the policy and procedures on granting annual leave before separation, as follows:

- a. Generally, an employee must be in active duty status on the last workday prior to separation and annual leave is not granted immediately before separation, except when in the interest of the Agency;
- b. The Comptroller General has ruled that the fixing of a termination date to coincide with the expiration of annual leave for which lump-sum payment may be made must be avoided. The granting of such leave is limited to cases where the exigencies of the Agency's business require such action and is subject to

prior approval; and

- c. If an employee resigns or applies for retirement while on leave, leave with pay status terminates no later than the end of the pay period in which M/CFO/P receives the notification. However, at their request, the employee may be continued on leave without pay for such a period as deemed in the interest of the Agency.

See [3 FAM 3417](#) for more information.

480.3.2.9 Lump-Sum Payment for Annual Leave

Effective Date: 05/28/2024

A federal employee is entitled to receive a lump-sum payment for any unused annual leave upon:

- Separation or retirement from federal service;
- Death (Payment is made, in accordance with the Designation of Beneficiary-SF 1152 form);
- Entering active duty in the armed forces and electing to receive a lump-sum payment for accumulated and current accrued annual leave; or
- Transferring to a position to which the employee's unused annual leave cannot be transferred or credited to the gaining agency (see [3 FAM 3330](#)).

If an employee departs before the end of the leave year, the employee receives a lump-sum payment for all accrued leave. If an employee leaves just after the end of the leave year, the employee receives the actual amount of leave carried over from one year to the next, not to exceed the maximum. Employees planning to depart the Agency should pay special attention to the dates related to the end of the leave year. Any such lump-sum payment is only paid when the employee completes the Agency's exit clearance process (see [ADS 451, Separations and Exit Clearance](#) for exit clearance information).

Accumulated and accrued annual leave does not include annual leave received by a leave recipient under the voluntary leave transfer program.

Note: [5 U.S.C. 6306](#) requires when an employee is reemployed in the federal service prior to the expiration of the lump-sum period, they must refund an amount equal to the pay covering the period between the date of reemployment and the expiration of the period of annual leave (*i.e.*, the lump-sum leave period). The process through which the lump-sum payment is calculated is stated in [4 FAH-3 H-537.2-1](#), as well as OPM's fact sheet "[Lump-Sum Payments for Annual Leave](#)." For additional information, see the regulations at [5 U.S.C. 5551](#) and [5 CFR 550.1201](#).

480.3.2.10 Annual Leave in Lieu of Non-Pay Status during Suspension

Effective Date: 05/28/2024

Annual leave in lieu of non-pay status during suspension may not be granted except when an employee is suspended in the interest of national security under the provisions of [5 U.S.C. 7532](#). The policies and procedures on granting such leave are stated in [3 FAM 3418](#).

480.3.2.11 Annual Leave in Lieu of Sick Leave

Effective Date: 05/28/2024

At the written request of the employee, absence because of sickness or injury may be charged against annual leave rather than sick leave. Employees must make this request within two workdays after returning to pay status. Otherwise, annual leave may not be substituted retroactively for a period previously recorded as sick leave.

Annual leave may be used to liquidate an advance of sick leave, provided the time remaining in the leave year would permit the use of such annual leave and the administrative approval for the use of such leave otherwise would have been granted.

480.3.2.12 Annual Leave In Lieu of Home Leave

Effective Date: 05/28/2024

Annual leave may not be substituted at the end of the leave year for periods previously charged to home leave, unless a determination is made that a refund of all home leave is required and the employee must have the home leave charge changed to annual leave (see [3 FAM 3436](#)).

Per [3 FAM 3439, paragraph b](#), when a determination is made that a refund of all home leave is required, the employee must repay the transportation costs connected with the home leave and must have the home leave charged to annual leave. If a partial refund of home leave is required, the partial portion is charged to annual leave, and there is no requirement to repay the transportation costs, provided the minimum time requirements for home leave are met (refer to [5 CFR 630.606, paragraph \(e\)](#)).

In accordance with [3 FAM 3439.1](#), the Director, HCTM/FSC, may determine, upon recommendation by the Exceptions Committee, when no refund of home leave indebtedness is required:

- When it is determined that the employee's failure to return to duty and to serve one year of the tour abroad or serve six months of a domestic assignment was because of compelling personal reasons warranting a humanitarian or compassionate exception to the refund requirement. Such exceptions may involve physical or mental health or circumstances over

which the employee had no control; or

- When it is determined it is in the public interest not to return the employee to an assignment abroad.

480.3.3 Sick Leave
 Effective Date: 05/28/2024

Sick leave is a paid absence from duty. An employee is entitled to use sick leave for personal medical needs, family care or bereavement, care of a family member with a serious health condition, or adoption-related purposes. Sick leave accrual rates for full and part-time employees are depicted in the chart below:

Description	Time
Full-time employees	1/2 day (4 hours) for each biweekly pay period
Part-time employees	1 hour for each 20 hours in a pay status
Uncommon tours of duty	(4 hours) times (average # of hours per biweekly pay period) divided by 80 = biweekly accrual rate

There is no limitation on the amount of sick leave an employee may accumulate. When an employee leaves the Federal Government or has a break in service and returns to a position in the Federal Government, they are entitled to a recredit of their sick leave, regardless of the length of the break in service. Sick leave may not be credited if the employee was reemployed by the Federal Government before December 2, 1994, after a break in service of more than three years, and the employee's sick leave was forfeited under the former regulation in effect at the time. To recredit sick leave, HCTM must submit the [SF-1150 Record of Leave Data](#) to M/CFO/P.

The amount of accrued sick leave an employee may substitute for unpaid leave under the FMLA to care for a covered service member is covered under [ADS Chapter 481, Family and Medical Leave \(FML\)](#).

For further information on sick leave, see [3 FAM 3423](#) and [Fact Sheet: Sick Leave \(General Information\)](#) on OPM's Website.

480.3.3.1 Requesting and Approving Sick Leave
 Effective Date: 05/28/2024

An employee who follows procedures for applying for sick leave as set out in this

ADS chapter must be granted currently accrued and accumulated sick leave for the following purposes (consistent with [3 FAM 3420](#)):

- When the employee is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth;
- For medical, dental, or optical examinations or treatments;
- When, as determined by the health authorities having jurisdiction or by the employee's health care provider, the employee's health may jeopardize the health of others by their presence on the job because of exposure to a communicable disease;
- To provide care for a family member with a serious health condition:
 - Up to 480 hours of sick leave may be used for this purpose in any leave year, minus any hours of leave taken for purposes described in [3 FAM 3423](#);
 - For a part-time employee or an employee with an uncommon tour of duty, an amount of sick leave equal to 12 times the average number of hours in their scheduled tour of duty each week may be used for this purpose in any leave year; and
 - Accrued sick leave substituted for unpaid leave under the FMLA to care for a covered service member does not count against the limit specified in this section (see [3 FAM 3423](#));

Up to 104 hours of sick leave may be used, per leave year, for the following purposes, or for a part-time employee or an employee with an uncommon tour of duty, the number of hours of sick leave they normally accrue during a leave year to:

- Provide care for a family member who is incapacitated by a medical or mental condition;
- Attend to a family member receiving medical, dental, or optical examination or treatment;
- Provide care for a family member who, as determined by the health authorities having jurisdiction or by a health provider, would jeopardize the health of others by the family member's presence in the community because of exposure to a communicable disease; and
- Make arrangements necessitated by the death of a family member or to attend the funeral of a family member.

Accessing medical examination or treatment typically involves travel, which can be covered by sick leave, to the extent the travel time occurs during the employee's tour of duty established for leave-charging purposes.

In consultation with HCTM's Office of Employee and Labor Relations (HCTM/ELR) or GC/EA, supervisors may require a medical certificate or other administratively acceptable evidence for an absence when sick leave is granted. The employee should send the medical certificate to HCTM/ELR and should only include necessary information to verify the need for sick leave (e.g., a letter from the treating physician that states the need for the employee to take leave during the time period requested). Any information regarding the employee's medical condition should be redacted.

Except in cases of medical evacuation, if requesting sick leave in excess of three workdays and the employee was unable to formally request the sick leave in advance, the employee must submit their request for sick leave in the time and attendance system no later than two workdays after returning to duty.

480.3.3.2 Advanced Sick Leave

Effective Date: 05/28/2024

Sick leave may be advanced to an employee, when required by the exigencies of the situation, for the same reasons sick leave is granted to an employee. Supervisors should not advance sick leave to an employee when it is known (or reasonably expected) that the employee may not return to duty, e.g., when the employee has applied for disability retirement.

- a. Advanced sick leave may be granted in the amount up to 240 hours to a full-time employee, including employees serving a probationary period and employees holding appointments with no expiration date for:
 - The individual who is incapacitated for the performance of their duties by physical or mental illness, injury, pregnancy, or childbirth;
 - A serious health condition of the employee or a family member;
 - When the employee would, as determined by the health authorities having jurisdiction or by a healthcare provider, jeopardize the health of others by their presence on the job because of exposure to a communicable disease;
 - Purposes relating to the adoption of a child (see [3 FAM 3423, subparagraph \(6\)](#)); or
 - The care of a covered service member with a serious injury or illness, provided the employee is exercising their entitlement under provisions of the FMLA (see [5 U.S.C. 6382\(1\)\(3\)](#)).

b. Up to 104 hours to a full-time employee:

- When they receive medical, dental, or optical examination or treatment;
- To provide care for a family member who is incapacitated by a medical or mental condition or to attend to a family member receiving medical, dental, or optical examination or treatment;
- To provide care for a family member who would, as determined by the health authorities having jurisdiction or by a healthcare provider, jeopardize the health of others by the family member's presence in the community because of exposure to a communicable disease; or
- To make arrangements necessitated by the death of a family member or to attend the funeral of a family member.

c. Sick leave advances are subject to the following requirements:

- The employee must submit requests in writing;
- Supervisors, in consultation with HCTM/ELR and GC/EA, may require a medical certificate or other satisfactory evidence, in support of the request;
- Being advanced only after all current accrued and accumulated sick leave is exhausted. Sick leave may be advanced even though the employee has annual leave to the employee's credit;
- Being advanced with the understanding that future absence, due to illness, must be charged to annual leave or LWOP until the total sick leave advance has been liquidated, except as provided above. An employee who subsequently retires (other than on disability) or resigns is liable for repayment of any outstanding negative sick leave balance. Exceptions to repaying the leave can be found in [5 CFR 630.209](#); and
- Not being advanced to an employee when it is known the employee does not intend to return to pay status

d. Sick leave may be advanced as follows:

- Up to 240 hours, per serious illness. In the event of another serious illness before liquidation of the original advance, an additional advance may be authorized, not to exceed a total deficit of 240 hours

at any one time, subject to the same restrictions which applied to the original advance;

- Accrued and advanced when combined may not exceed 480 hours, per leave year to care for a family member with a serious health condition (see [3 FAM 3423, subparagraph a\(4\)](#)). Of the 480 hours, 104 hours per leave year may be used for the purposes cited in [3 FAM 3423, subparagraph a\(5\)](#); sick leave advanced to care for a covered service member under the FMLA does not count against the 480-hour limit, but does count against the 240-hour limit on advanced sick leave (see [3 FAM 3423, paragraph b](#));
- The maximum amount of sick leave that can be advanced to part-time employees or employees on an uncommon tour of duty is prorated, based on the number of hours in the employee's regularly scheduled administrative work week;
- The approving officer must consider the circumstances of each individual case, including the employee's past record of use of sick leave, whether the employee is under leave restriction, the recommendation of the employee's attending physician, and other pertinent factors; and
- Sick leave may be advanced to employees holding temporary, limited-indefinite or time-limited appointments, except such advances may not exceed the total sick leave the employee would accrue during the remaining period of such an appointment. Appointments made subject to security clearance are considered as 90-day appointments until such clearance is made.

480.3.4 Home Leave

Effective Date: 05/28/2024

The purpose of home leave is to ensure employees who live abroad for an extended period undergo reorientation and re-exposure in the United States on a regular basis. USAID's policies and essential procedures for the accrual, approval, and charging of home leave generally conform to [3 FAM 3430](#) and implementing guidelines and procedures contained in [3 FAH-1 H-3430](#). When USAID has unique policies or when differences between USAID policy and [3 FAM 3430](#), this ADS chapter has precedence.

- a. Within the limitation of available funds, home leave, or combined home leave and annual leave, with travel may be granted at the Agency's expense to any employee who:
 - Is a U.S. citizen;

- Has completed at least:
 - 12 months of continuous service abroad at a post experiencing extraordinary circumstances, as determined by the Director, HCTM/FSC; or
 - 18 months of continuous service abroad; and
 - After home leave, is expected to return:
 - Immediately to service abroad with USAID; or
 - To service abroad with USAID, upon completion of an assignment in the United States; or
 - To service abroad after transferring to an international organization.
- b.** Home leave is ordinarily granted at the conclusion of an overseas assignment, if the requirement for continuous overseas service cited in [3 FAM 3431.2, subparagraph\(a\)\(2\)](#) has been met. Exceptions to this requirement can be found in [3 FAM 3433.1](#);
- c.** Employees must take home leave as soon as possible, after 36 months of continuous service abroad. Employees serving at posts experiencing extraordinary circumstances must take home leave at the conclusion of their assignments, in accordance with the guidelines in [3 FAM 3434.2, paragraph b](#) and [3 FAM 3435.1](#);
- d.** An employee who meets the eligibility requirements in [3 FAH-1 H-3415](#) for accumulating a maximum of 45 days of annual leave earns and may be granted home leave;
- e.** Employees who have elected Presidential appointee pay and leave status are not eligible for home leave. However, they may qualify for a leave of absence with pay for use in the United States, its territories, or its possessions (see [3 FAM 3323.1](#)); and
- f.** Employees who transfer from an overseas assignment directly into FSC LWOP are not eligible for home leave. Home leave is granted only when followed immediately by an assignment, domestically or overseas. LWOP is not considered an assignment for this purpose.

480.3.4.1 Effect of Resident-Hire Employment

Effective Date: 05/28/2024

A resident-hire employee (see section **480.6**) is not eligible to accrue or use home

leave, unless the employee established eligibility to earn home leave under a regular FS appointment. If eligibility is established, the employee continues to accrue home leave and may be authorized home leave on a one-time basis, upon completion of the initially prescribed tour of duty as a regular employee, if the post has approved the return to post in a full-time, resident-hire position.

480.3.4.2 Other Considerations of Home Leave

Effective Date: 05/28/2024

- a. Fewer than 18 Months of Continuous Service Abroad:** The Director, HCTM/FSC may grant home leave in certain circumstances, such as when a post is designated an imminent danger area and employees are evacuated; or when an assignment is terminated at the convenience of the U.S. Government (USG) and/or when the needs of the Agency so warrant (see [3 FAM 3433.1](#) for complete guidance).
- b. Dual Entitlements:** Employees may not receive dual entitlements. Home leave for tandem couples and for spouses or domestic partners of an employee who is serving at post as a member of the Uniformed Service or as an employee of another USG agency is subject to certain restrictions (see [3 FAM 3433.2](#)).
- c. Eligibility of Family Members:** Family members normally qualify for Home Leave travel, based on the eligibility and entitlement of the employee. However, additional provisions apply to Eligible Family Members (EFMs) taking home leave (see [3 FAM 3433.3](#)). For example, if an employee and family take home leave before the employee departs for a one year unaccompanied post, the EFMs remaining in the overseas post are not entitled to travel at the Federal Government's expense to accompany the employee on their mandatory home leave at the end of 12 months' service in the one year unaccompanied post.

480.3.4.3 Home Leave Followed by an Assignment Abroad

Effective Date: 05/28/2024

The Agency adheres to the policies and procedures on "Home Leave Followed by an Assignment Abroad," as stated in [3 FAM 3434](#).

- a. Standard:** Generally, 30 workdays of home leave, exclusive of transit time, is considered an appropriate amount of time to meet the purpose of home leave and is granted, unless the employee requests or has accrued fewer days, or an exception is made, based on the needs of the Service (see [3 FAM 3434.1](#)).
- b. Minimum:** Generally, employees must not take less than 20 workdays of home leave. Supervisors can make exceptions to the minimum number of days of mandatory home leave, based on the needs of the Agency, service, or for compelling personal needs (see [3 FAM 3434.2](#)).
- c. Maximum:** Generally, 45 workdays, excluding travel time, is the maximum

period of home leave, which generally is approved by the supervisor (see [3 FAM 3434.3](#)).

- d. **Delayed Home Leave:** The Director, HCTM/FSC may authorize delayed home leave for employees eligible for home leave who are transferring between overseas posts with the concurrence of the gaining overseas post mission management (see [3 FAM 3434.5](#)).
- e. **Interruption of Home Leave:** Home leave should be taken in one continuous period (see [3 FAM 3434.4](#)). However, in some cases, this period may have to be interrupted for training, consultation, community relations programs or other circumstances, subject to approval, as set forth below:
 1. For Home Leave/Return to Post orders for FS employees, Missions are authorized to approve fragmentation of home leave for such purposes, as noted above. Missions must document in writing any decision made to fragment home leave. For Home Leave/Return to Post orders for SLG employees, the Director, HCTM/FSC, in coordination with the appropriate Bureau AA, approves requests for fragmentation of home leave;
 2. The HCTM Exceptions Committee must review all requests for fragmentation of home leave, in conjunction with Home Leave/Transfer orders, and the Director, HCTM/FSC and the appropriate servicing division in HCTM/FSC must approve the requests;
 3. Any change to the home leave period stated in the departure notice cable, but within the 20 workday minimum/45 day maximum, must be approved in advance by the office where the employee's timekeeping is performed; and
 4. If prior approval is not obtained and the reasons for extension are unacceptable to the approving officer, the employee will be charged annual leave for any leave taken in excess of what was authorized in the departure notice cable, if the employee has a positive annual leave balance, otherwise it is charged to LWOP.

480.3.4.4 Home Leave in Connection with an Assignment in the United States

Effective Date: 05/28/2024

The Agency adheres to the policies and procedures in [3 FAM 3435](#) for "Home Leave in Connection with an Assignment in the United States".

- a. Home Leave before Next Assignment is approved:
 - If an employee's next assignment is a domestic assignment and the employee has completed three years of continuous service abroad, the

employee must take home leave before reporting for duty. An employee must be granted home leave, not to exceed 25 workdays. A longer period may be authorized in accordance with the provisions in [3 FAM 3434.3](#). Annual or sick leave to the employee's credit or LWOP, as appropriate, may be granted in addition to home leave; and

- When a minimum of ten days of home leave is required for employees whose period of service is between 12 and 24 months at a post experiencing extraordinary circumstances, as designated by the Director, HCTM/FSC. Employees extending their service at such a post to 24 months must take a minimum of ten days of home leave after 12 months and a minimum of ten days at the end of 24 months or must forgo home leave at the 12-month point, taking instead not less than 20 days of home leave at the conclusion of the assignment.

b. Deferred Home Leave is approved:

- When an employee is required to report for duty immediately, the Director, HCTM/FSC may authorize a deferral of the employee's home leave. In such instances, the home leave must be taken in one continuous period, except as provided in this subchapter, and must be completed within six months following the effective date of the employee's assignment to the United States; and
- With approval of the Director, HCTM/FSC, mandatory home leave may be deferred because of personal needs, despite [3 FAM 3435.1, paragraph d](#), particularly if taking it immediately after completion of the time at post would negatively affect an employee's ability to reconnect with immediate family members.

480.3.5 Administrative Leave (Excused Absence)

Effective Date: 05/28/2024

Administrative leave (also referred to as "excused absence") is an administratively authorized absence from duty and does not result in a charge in leave of any kind or in loss of basic salary. An excused absence may generally be granted for:

- Absences of one hour or less, due to emergencies or tardiness;
- Undergoing physical examination: when required, pursuant to regulations; or when required by induction or enlistment in the Armed Forces of the United States, provided the request for absence is supported by an official notification from appropriate military authority. However, if hospitalization for additional tests is required, such time may not be excused;
- Time spent in health rooms if such cumulative time is one hour or less in one day. Time in excess of one hour must be charged as sick leave;

- Examination or outpatient treatment by a Federal Government physician or by a facility officially authorized to handle cases of employees injured in the performance of duty. However, this does not apply to additional absence on account of the injury where treatment is not involved;
- Visits to blood donor centers for the purpose of donating blood without a charge to leave. The employee may be excused for four hours on the day blood is donated, in addition to the time required to travel to and from the blood donor center and to actually give blood. If the employee is not accepted for blood donation, only the time necessary for the round trip is to be excused;
- Participating in FS or CS examinations when it is deemed to be primarily in the interest of the Federal Government;
- Permitting employees who are Veterans of any war, campaign, or expedition for which a campaign badge has been authorized, or are members of official honor or ceremonial groups or organizations, to participate as active pallbearers or guards of honor in funeral ceremonies for members of the U.S. Armed Forces, whose remains are returned from abroad for final interment in the United States. Such periods of excused absence are limited to four hours;
- When a post is closed to the public on local holidays by administrative order, or when federal work may not be properly performed. However, U.S. citizen employees may be required to work on such days, and are not entitled to holiday pay or overtime pay for such work;
- Attending incentive award ceremonies or to pay respect to retiring employees at a ceremony or reception;
- When employees are dismissed for a reasonable period, due to extreme climatic conditions, civil disturbance, transportation failure, breakdown of heating or cooling systems, and natural disasters, such as a hurricane or earthquake, etc. (see Weather and Safety Leave section **480.3.5.3**); and
- To attend a funeral of a current employee. The B/IO or Mission Heads may authorize a reasonable number of hours.

Administrative leave may be directed, in rare circumstances, when an investigation, inquiry, or disciplinary action regarding the employee's conduct is pending, has been requested, or is going to be requested within two workdays, and the continued presence of the employee in the workplace may pose a threat to the employee or to others, or may result in the loss of, or damage to, Federal Government property, or may otherwise jeopardize legitimate Federal Government interests (see [3 FAH-1 H-](#)

3461.2).

The CHCO may authorize up to two workdays of administrative leave in response to emergency situations (e.g., Ordered Departure).

480.3.5.1 Paid Parental Leave (PPL)

Effective Date: 05/28/2024

Effective October 1, 2020, the Federal Employee Paid Leave Act (FEPLA) makes paid parental leave (PPL) available to eligible employees. As a result, the FMLA provisions were amended in [Title 5, United States Code \(U.S.C.\) 6382](#) to provide up to 12 weeks of PPL to covered federal employees, in connection with the birth or placement (for adoption or foster care) of a child. To be eligible, the employee must meet FMLA eligibility requirements of having at least 12 months of federal service in a part-time or full-time work schedule. Temporary appointments not to exceed one year and intermittent work schedules are not eligible (see [ADS 481, Family and Medical Leave \(FML\)](#) for more information).

480.3.5.2 Parental Bereavement Leave

Effective Date: 05/28/2024

Parental Bereavement Leave, established as part of the National Defense Authorization Act (NDAA) for Fiscal Year 2022 and codified in [Title 5, United States Code \(section 6329d\)](#), provides up to two workweeks (80 hours) of bereavement leave, in connection with the death of an employee's son or daughter in any 12 month period. Employees with part-time, seasonal, or uncommon tours of duty are provided a proportionally equivalent amount of leave. Leave may be used intermittently, and at the discretion of the supervisor.

To be eligible for Parental Bereavement Leave, an employee must:

- Have 12 months of federal service, as an employee as defined in the [title 5 FMLA provision in 5 U.S.C 6381](#) at the time of the child's death;
- Have a full/part-time work schedule;
- Be on a permanent/term appointment; and/or
- Be in a status in which the employee is working or on leave.

Employees on temporary appointments of one year or less and employees on intermittent work schedules are not eligible.

Parental Bereavement Leave is a stand-alone paid leave entitlement used separately from other leave or time off. Parental Bereavement Leave does not affect the accrual or balances of other paid leave or paid time off. Parental Bereavement Leave may be used, intermittently, at the discretion of the supervisor

(see [3 FAM 3490](#)). The term “son or daughter” has the meaning given in the [FMLA law at 5 U.S.C. 6381\(6\)](#).

480.3.5.3 Weather and Safety Leave

Effective Date: 05/28/2024

Weather and safety leave (WSL) is granted to employees if they are prevented from safely traveling to or safely performing work at an approved work location, due to:

- An act of God, as defined in [5 CFR 630.1602](#);
- A terrorist attack; or
- Another condition preventing an employee or group of employees from safely traveling to or safely performing work at an approved work location.

a. Authorizing Weather and Safety Leave

For USAID offices in the Washington, D.C. area, USAID generally grants WSL, in conjunction with an operating status announcement issued by OPM unless office specific conditions require granting WSL beyond those monitored by OPM’s monitoring status (e.g., in the case of a building specific emergency, i.e., such as a fire, power outage, or burst water pipes).

For USAID offices abroad, the authorizing official is the immediate supervisor, unless the principal officer at post has designated a higher-level authorizing official (for example, the second-level or Deputy Mission Director).

b. Telework and Weather and Safety Leave Considerations

In most cases, employees who have a valid approved situational or regular/recurring telework agreement in place are not eligible for WSL. In determining whether granting WSL to a teleworking employee may be permissible, the authorizing official must consider whether the WSL conditions affect travel to work at both the regular worksite and the alternate worksite of an employee. Additionally, the authorizing official must evaluate whether an employee could have reasonably anticipated the WSL condition and whether the employee took reasonable steps (within the employee’s control) to prepare to telework at the approved alternate worksite.

- 1. An example where WSL is appropriate:** An employee is authorized to situationally telework but must prepare for their telework day in advance so they can take their work files home (i.e., the employee is not able to perform productive work from home without appropriate work files). A tornado causes a power outage at the employee’s regular worksite (i.e., office). Since the tornado and associated office power outage could not have reasonably been

anticipated and because the employee could not perform productive telework without their work files, the authorizing official may grant WSL.

2. **An example where WSL is not appropriate:** An employee is authorized to situationally telework but must prepare for their telework day in advance so they can take work files home (i.e., the employee is not able to perform productive work from home without appropriate work files). A snow storm is forecasted days in advance, and causes an office closure. The employee did not take their work files home and could not perform productive telework without the work files. Because the snow storm could have been reasonably anticipated and the employee could have taken, but did not take, reasonable steps to prepare to telework, the authorizing official may not grant WSL.

If a DETO is prevented from safely working at the approved overseas alternate worksite, the authorizing official must grant WSL to the employee. If an employee on temporary duty travel (TDY) orders is prevented from safely traveling to or working at the TDY station, or any other approved worksite due to WSL conditions during the period of the employee's TDY, and the employee is not located in the commuting area of the employee's regular worksite or an approved alternate worksite, the authorizing official must grant WSL to the employee.

c. Administration of Telework and Weather and Safety Leave

1. Employees who are eligible for WSL and are not participating in a telework program, as defined in [ADS 405, Telework and Remote Work Program](#), are not required to submit a leave request or otherwise formally request WSL. The employee, supervisor, and office timekeeper are responsible for ensuring time and attendance reporting for the relevant period of WSL is properly recorded.
2. Employees who are participating in a telework program, as defined in [ADS 405, Telework and Remote Work Program](#), and who may be eligible for WSL, must submit a leave request in the automated time and attendance system, in order to request WSL.
3. Flexible work schedules: Full-time employees on flexible work schedules (FWS) may be granted WSL up to the amount of non-overtime hours they would otherwise work on a given workday. For example, if the conditions for granting WSL occurred on an employee's 10-hour workday, the authorizing official may grant up to 10 hours of WSL.
4. Compressed work schedules: Full-time employees on compressed work schedules may be granted WSL up to the amount of non-overtime hours they would otherwise worked on a given workday. For example, if the conditions for granting WSL occurred on an employee's 10-hour workday, the authorizing official may grant up to 10 hours of WSL.

480.3.5.4 Local Holidays

Effective Date: 05/28/2024

This section applies to employees assigned to an overseas post. This section does not apply to employees on DETO agreements. Overseas posts must issue an administrative order excusing employees from duty on certain local national holidays (see [3 FAM 3419.2](#)).

- a. Approved annual or sick leave, which falls on such local holidays, must be canceled;
- b. In certain circumstances, local celebration of holidays not included in the post administrative order excusing employees from duty, preclude some employees from reporting for duty. In such cases, employees whose regular duties, such as working with local ministries and agencies, cannot be performed, due to the local holiday, but who are otherwise present and available for duty, may be excused if not needed and must not be charged leave; and
- c. Employees are not entitled to local holidays after departure from post on official travel orders or government sponsored travel (i.e. home leave, transfer orders, or rest and recuperation travel) (see [3 FAM 3419.2](#)).

480.3.5.5 Military Leave

Effective Date: 05/28/2024

Military Leave is an approved absence from official duty, with pay, for an employee who is a member of the National Guard or a reserve component of the Armed Forces. Military leave is authorized for days in which the employee is ordered to partake in active duty or inactive duty training, or is engaged in field or coast defense training. Military leave is credited to a full-time employee on the basis of an eight-hour workday. The minimum charge to leave is 1 hour. Except as provided in b. and d., below, an employee may carryover a maximum of 15 workdays into the next fiscal year, not to exceed a total of 30 workdays in a fiscal year:

- a. All full-time career employees and limited appointees whose appointments are for one year or more are entitled to military leave, when official orders are presented to the approving officer. Employees who are members of the group below must be granted military leave, not to exceed 120 hours (15 days x 8 hours) for employees, active duty training, and inactive duty training without loss of pay, time, or performance or efficiency rating.
 - Army National Guard of the United States;
 - Army Reserve;

- Naval Reserve;
 - Marine Corps Reserve;
 - Air National Guard of the United States;
 - Air Force Reserve; and
 - Coast Guard Reserve.
- b. Military leave is prorated for part-time career employees and employees on an uncommon tour of duty (see [3 FAH-1 H 3440, Exhibit 3441.1](#)).
 - c. 22 workdays of military leave per calendar year is authorized for emergency duty, as ordered by the President or a State governor. This may be for law enforcement or protection of life and property;
 - d. Unlimited military leave is also authorized for employees who are members of the National Guard of the District of Columbia for certain types of duty ordered or authorized under Title 39 of the District of Columbia Code;
 - e. Reserve and National Guard technicians only are entitled to 44 workdays of military leave per calendar year for duties abroad under certain conditions;
 - f. Employees ordered to extend active duty for general service with the Armed Forces must be placed on military furlough (see [3 FAM 2560](#));
 - g. Members of the Reserves and/or National Guard will not be charged military leave for weekends and holidays that occur within the period of military service; and
 - h. Employees who request military leave for inactive duty training (which is generally two, four, or six hours in length) will be charged only the amount of military leave necessary to cover the period of training and necessary travel.

Hours in the workday that are not chargeable to military leave must be worked or charged to another leave category, as appropriate.

The procedures for computing leave and restrictions on its use are contained in [3 FAM 3443-3446](#) and [3 FAH-1 H-3440](#).

480.3.5.6 Disabled Veteran Leave Effective Date: 05/28/2024

Under the Wounded Warriors Federal Leave Act of 2015 (see [Public Law 114-75, November 5, 2015](#)), an employee hired on or after November 5, 2016, who is a veteran with a service-connected disability rating of 30 percent or more from the

Veterans Benefits Administration (VBA) of the Department of Veterans Affairs is entitled to up to 104 hours of disabled veteran leave for the purposes of undergoing medical treatment for such disability. The requirements and procedures for eligibility under OPM's regulations can be found in [ADS 480mac, Disabled Veteran Leave](#).

480.3.5.7 Military Spouse Leave

Effective Date: 05/28/2024

In accordance with the June 2023 [Executive Order 14100](#) on Advancing Economic Security for Military and Veteran Spouses, Military Caregivers, and Survivors, USAID grants up to five days of administrative leave to military spouses during a geographic relocation occurring as directed by a Service member's orders. Employees must provide a copy of the Service member's orders to the approving officer when requesting the administrative leave.

480.3.5.8 Court Leave

Effective Date: 05/28/2024

Court leave is the authorized absence, without charge to annual leave or loss of compensation, of an employee from official duty for jury duty or for appearance as a witness in a nonofficial capacity on behalf of any party in any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party.

An employee who is under proper summons from a State or federal court to serve on a jury must be granted court leave of absence with pay for the entire period, from the date stated in the summons on which the employee is required to report to the court to the time the employee is discharged by the court, regardless of the number of hours per day or days per week, the employee actually serves on the jury during the period. However, the term of the jury service does not include time during which the employee is excused or discharged by the court for any indefinite period, subject to a call by the court or for a definite period, in excess of one day.

Supervisors must not ask their employees to be excused from jury duty, except in cases of real necessity. Such a policy does not prohibit the employee from requesting an exemption for compelling personal reasons on the employee's own initiative.

Further information on the requirements and essential procedures for court leave is outlined in [3 FAM 3450](#).

480.3.5.9 Transit Time

Effective Date: 05/28/2024

This section applies to employees assigned overseas. Transit time may be granted between the points of departure and destination named in the travel authorization. The B/IO must grant transit time for employees traveling under official orders who

terminate their travel in the United States. The post of destination is authorized to grant transit time for travel performed under official orders by employees completing travel at their post. The Agency complies with the policy and essential procedures outlined in [3 FAM 3463](#) (see [3 FAM 3463](#) sections 1-5 and [ADS 472, Premium Compensation](#) for policy related to compensatory time for travel).

a. Transit Time Limitations

1. Circumstances Beyond Control of Traveler:

When a greater amount of time than would be normally required to complete travel is spent either in travel or in awaiting transportation because of circumstances of which the traveler has no control and could not reasonably avoid, the actual amount of time spent must be considered transit time (see [3 FAM 3463.1](#)).

2. Use of Privately Owned Conveyance:

If travel is performed by privately owned (POV) conveyance, a reasonable amount of time, in view of the distance and route traveled and the circumstances of the journey, is considered transit time whenever such mode of travel is more advantageous to the U.S. Government if transit time is granted for the travel (see [14 FAM 566](#) and [3 FAM 3463.3-2](#)).

3. Delays in Awaiting Transportation Due to Personal Reasons:

If an employee relinquishes duties prematurely for their own convenience and proceeds to the point of departure, any period spent awaiting transportation must not be considered transit time. In such cases, allowable transit time may only be computed from the date the employee would have normally been required to begin official travel. Any delay, due to missed connections which result when an employee delays departure from post or interrupts travel for personal convenience, must not be considered transit time (see [3 FAM 3463.3-3](#)).

4. Allowable Transit Time:

When the first day of transit time has been authorized and established, each consecutive workday thereafter actually and necessarily spent in travel, including authorized rest stops and time necessarily spent in awaiting transportation en route, is considered transit time.

Time used by the employee in travel and in awaiting transportation in excess of allowable transit time is charged against annual leave, if available, earned compensatory time, or leave without pay. The basis is eight hours for each workday, subsequent to the date the employee could have arrived at the destination, if the employee took a commonly traveled route, and by the

mode of transportation prescribed in pertinent travel regulations. Computation of allowable transit time for leave purposes must be independent of computation of per diem for the purposes of determining allowable travel expenses (see [3 FAM 3463.4](#)).

b. Transit time in Connection with Leave

In accordance with [3 FAM 3463.2](#), the following policy applies to transit time, in connection with leave:

1. Employees must be granted transit time, in connection with authorized home leave travel to the United States (or to a U.S. Commonwealth or possession, when it is the employee's home leave residence).
2. Transit time may be granted by the post for Rest and Recuperation (R&R) travel or family visitation travel (FVT) if travel cannot be scheduled on non-work days, due to circumstances beyond the employee's control. Such circumstances might include the lack of air transportation from and/or to post on non-work days, irregular connections from and/or to post, or compassionate reasons. Such circumstances do not include the employee's personal convenience. Normally, transit time is limited to one day for each leg of R&R or FVT, and should not exceed two days. If the employee makes a stopover for their convenience, transit time may only be granted to the stopover point.
3. Travel time, in excess of allowed transit time, is charged to annual leave, compensatory time, credit hours, or leave without pay.

c. Transit Time in Connection with Separation

Transit time is allowable when travel commences on the first workday, following relinquishment of duty or, when leave is granted, not later than the expiration date of approved leave (see [3 FAM 3463.5](#)).

480.3.5.10 Leave for Religious Holidays

Effective Date: 05/28/2024

In order to meet the employer's legal obligation under Title VII of the Civil Rights Act of 1964 to provide reasonable accommodation to employees for religious purposes, leave approving officers must grant annual leave to permit employees to participate in their personal religious observances, unless to do so would create an undue burden upon the Agency. Such absences are charged to annual leave, credit hours, or to compensatory time or, if the employee has neither, to leave without pay. The Agency complies with the policies outlined in [3 FAM 3465](#) and procedures outlined in [3 FAH-1 H-3418](#).

To the extent it does not interfere with the efficient accomplishment of work, an

employee may, with the approval of the supervisor, elect to earn compensatory time (religious) for the purpose of taking time off without charge to leave when personal religious beliefs require an employee to abstain from work during certain periods of the workday or workweek. The employee may work such compensatory overtime either before or after the granting of compensatory time off.

The premium pay provisions for overtime work do not apply to compensatory work performed by an employee for this purpose (see [ADS 472, Premium Compensation](#)).

See [3 FAM 3133.6](#) for regulations concerning special compensatory time off for religious observances.

480.3.5.11 Voting Leave

Effective Date: 05/28/2024

Pursuant to [Executive Order 14019](#) on Promoting Access to Voting, the supervisor must grant:

- Up to four hours of administrative leave for voting in connection with each federal general election day. The administrative leave may be used for voting on the federal general election day or for early voting (i.e., voting prior to federal general election day, as authorized by their jurisdiction).
- Up to four hours of administrative leave for voting in connection with each election event, including primaries and caucuses, at the federal, state, local (i.e., county and municipal), tribal, and territorial level which do not coincide with a federal general election day. (If an election simultaneously involves more than one level, it is considered to be a single election event.) This administrative leave may be used for voting on the established election day or for early voting, whichever option is used by the employee with respect to an election event.
- Up to four hours of administrative leave per leave year to serve as a non-partisan poll worker or to participate in non-partisan observer activities at the federal, state, local (i.e., county and municipal), tribal, and territorial level. (A “leave year” begins on the first day of the first pay period commencing on or after January 1 of the given year and ends on the day before the first day of the next leave year.). This leave is in addition to any administrative leave an employee uses to vote.

Additional considerations:

- An excused absence may not be used during a non workday or during overtime work hours outside the tour of duty established for leave charging purposes.

- An excused absence may be used for any travel time to and from the employee's voting poll location.
- If the employee has to be absent for a longer than four hours, the employee must use annual leave (accrued or advanced), earned compensatory time off, or credit hours earned under a flexible work schedule. An employee may also request leave without pay.

480.3.5.12 Transition Leave

Effective Date: 05/28/2024

This section applies to employees returning from an overseas assignment. Transition leave is authorized to provide employees with a period of excused absence to settle into their homes in the United States before returning to an assignment in the United States.

- a. Fifteen (15) working days of transition leave is granted to CS employees on limited non career appointments (LNA) who serve at least 18 consecutive months abroad (12 months at posts designated by the Director, HCTM/FSC per [3 FAM 3433.1](#)) and immediately return to work in the United States for at least six months.
- b. 10 working days of transition leave is granted to FS employees returning for a domestic assignment who are ineligible for home leave because they are not returning to service abroad, due to mandatory retirement, and who meet all other home leave eligibility criteria. Employees must have served at least 18 consecutive months abroad (12 months at posts, designated by the Director, HCTM/FSC per [3 FAM 3433.1](#)) and immediately return to work for USAID.
- c. Normally, transition leave is voluntary. However, transition leave is mandatory following service at a post designated by the Director, HCTM/FSC as meeting the conditions in [3 FAM 3433.1](#). By request of an employee, this requirement may be waived, based on personal needs, particularly if taking transition leave would negatively impact their ability to reconnect with immediate family members. Waiver requests must be approved by the Director, HCTM/FSC.
- d. Transition leave is approved for use in the United States, only after termination of an assignment abroad and before reporting to a new assignment in the United States. Transportation within the United States is not provided. An employee may request to use transition leave after they report to a new assignment, only for compelling personal reasons of a compassionate nature, or for the needs of the Agency. A request to defer the usage of transition leave must be made, in writing, to the supervisor of the gaining office for their approval before the employee departs the post abroad. However, under no circumstances may transition leave be approved for use more than 30 calendar days after an employee has reported to work in the United States. Transition leave must be noted on travel authorizations.

- e. Requests for use of transition leave or deferral of such leave must be submitted to the leave approving officer in the gaining bureau or office.
- f. An employee who fails to complete at least six months of service in an assignment in the United States, after using transition leave, is indebted to the Federal Government for the excused absence. The period of used transition leave may be changed to annual leave or repaid to the Federal Government at the time of separation. Amounts owed by an employee under this section must be recovered from the employee, in accordance with [ADS 625, Accounts Receivable and Debt Collection](#). A determination of such a repayment is not required and may be requested and approved by the Director, HCTM/FSC or designee.

480.3.5.13 Packing and Unpacking Effects

Effective Date: 05/28/2024

USAID supervisors are permitted to grant excused absence to FS employees to be present at the employee's residence for a period, not to exceed 16 work-hours for packing and eight hours for unpacking when required by and in connection with the FS employee's:

- Permanent transfer abroad;
- Transfer from one post to another;
- Transfer from abroad to an assignment in the United States; or
- Transfer between domestic assignments which are located more than 100 miles apart.

In exceptional circumstances, where the employee can document the need for more time for packing or unpacking, a supervisor may excuse up to an additional 16 work-hours for packing and eight work-hours for unpacking. The leave periods do not need to be consecutive. Absence for this purpose in excess of the specified periods must be charged to annual leave or to leave without pay (see [3 FAH-1 H-3464](#)).

480.3.5.14 Funeral Leave

Effective Date: 05/28/2024

The Agency allows funeral leave for immediate relatives in the case of a death of a member of the U.S. Armed Forces. An employee must be granted funeral leave (without loss or reduction in pay, leave to which otherwise entitled, or credit for time or service, and without adversely affecting performance rating) as is needed and requested. Leave may be used to make arrangements for, or to attend the funeral or memorial service for an immediate relative who dies as a result of a wound,

disease, or an injury incurred while serving as a member of the U.S. Armed Forces in an area designated by Executive Order as a combat zone. Leave cannot exceed three workdays. The three days do not have to be consecutive. For periods in excess of the three days permitted under this section, employees may request sick leave for bereavement purposes per [3 FAH-1 H-3425](#).

An employee may be excused for a period, not to exceed eight hours, to make arrangements for or to attend the funeral or memorial service for an immediate relative killed in the line of duty in the U.S. Armed Forces in an area other than a combat zone (when the relative dies as a result of service in a combat zone, see above). For periods in excess of the permitted eight hours, employees may request sick leave for bereavement purposes, per [3 FAH-1 H-3425](#).

480.3.5.15 Absences Resulting From Hostile Action Abroad

Effective Date: 05/28/2024

An employee must not be charged leave for absence, not to exceed one continuous year, due to any injury incurred while serving abroad and resulting from war, insurgency, mob violence, or similar hostile action, provided the injury was not due to vicious habits, intemperance, or willful misconduct on the part of the employee (see [3 FAM 3464.5](#) and section **480.3.2.4** for possible restoration of forfeited annual leave for employees in a missing status). The CHCO, or designee, approves requests for such absences, without charge to leave.

480.3.5.16 Bone-Marrow or Organ Donor

Effective Date: 05/28/2024

In accordance with [3 FAM 3464.6](#) and [5 U.S.C.6327](#), employees are entitled to excused absence to serve as a bone marrow or organ donor, as follows:

- a. A full-time employee is entitled to excused absence, not to exceed seven days (or 56 hours) in any calendar year for the time necessary to serve as a bone-marrow donor. Excused absence for bone-marrow donation may be used for compatibility testing, as well as actual donation and treatment.
- b. A full-time employee is entitled to excused absence, not to exceed 30 days (or 240 hours) in any calendar year for the time necessary to serve as an organ donor. An excused absence for organ donation may be used for compatibility testing as well as actual donation and recuperation.
- c. These amounts are prorated for part-time employees and employees on uncommon tours of duty.

For more information, see [3 FAM 3464.6](#) and [5 U.S.C.6327](#)

480.3.5.17 Limited Marriage Leave

Effective Date: 05/28/2024

A FS employee who is assigned to a post in a country in which they cannot legally marry and who wishes to marry may request an excused absence, not to exceed ten work days (or 80 hours) during a tour of duty. This time is to be used for travel, at the employee's own expense, to a jurisdiction where they can be legally married. Approvals of requests for such absences without charge to leave must be made by the Director, HCTM/FSC.

480.3.6 Other Excused Absence

Effective Date: 05/28/2024

Other Excused Absence (also referred to as Administrative Leave) is absence from work which is administratively authorized or approved, and does not fall into one of the previous categories and does not result in a charge to leave of any kind or in loss of basic salary. Decisions to grant such leave are generally made by the first line supervisor on a case-by-case basis. Examples include:

- a. **Ceremonies of the Federal Government:** Employees may be excused to attend ceremonies and official functions of the Federal Government, which are of sufficient importance to warrant the attendance of the employees involved.
- b. **Non-U.S. Government Civic Ceremonies:** Employees may be granted excused absence, generally less than half of a workday, to participate in civil activities in which the government is interested in recognizing or encouraging, e.g., Boy/Girl Scout ceremonies, a dedication of memorials.
- c. **Conferences or Conventions:** Supervisors may grant employees excused absences to attend conferences or conventions when attendance serves the best interests of the federal service. An excused absence may be restricted to those situations in which the employee is a contributor on the agenda.
- d. **Physical Fitness:** Supervisors may grant employees excused absences for a short period for participating in officially sponsored and administered physical fitness programs which are non-recurring events (typically one-time or annual).
- e. **Preventative Health Care:** Employees who have fewer than two weeks of accrued sick leave (80 hours) can be granted up to four hours of excused absence each year, without loss of pay or charge to leave, for participation in preventive health screenings.
- f. **Volunteer Activities:** In limited circumstances, employees may be granted Administrative Leave for short periods of time by the supervisor to participate in volunteer activities. As a general rule, supervisors may grant a brief period (usually one day or less) of excused absence for employee participation in volunteer activities that:
 - Are directly related to the Agency's mission;

- Are officially sponsored or endorsed by the Agency;
- Enhance the professional development and/or skills of employees in their current positions; and/or
- Are determined to be in the interest of the Agency.

g. Other administrative purposes, as determined by management.

480.3.7 Leave Without Pay
Effective Date: 05/28/2024

Leave without pay is temporary non-pay, non-duty status requested by the employee. It is an approved and legitimate use of leave, not to be confused with absence without leave, as described in section **480.3.8**.

Generally, the authorization of LWOP is a matter of administrative discretion, unless required by statute (e.g., under the Uniformed Services Employment and Reemployment Rights Act and the Family and Medical Leave Act, see [ADS 481](#)). In addition to the statutory purposes for which LWOP is granted, it may be granted for the following reasons (see [3 FAH-1 H-3514](#)):

- For periods of 30 calendar days or less for any reasonable purpose ([3 FAM 3516](#)).
- Leave without pay in excess of 30 calendar days may be granted to allow an employee to pursue advanced education (see [3 FAH-1 H-3514.1](#)); for temporary service with a non-federal public or private enterprise (see [3 FAH-1 H-3514.2](#)); to recover from illness or disability (see [3 FAH-1 H-3514.3](#)); and other purposes, as described in [3 FAH-1 H-3514.4](#).
- To bond with a new child, to care for a family member with a serious health condition, to address an employee's own serious health condition, or to help manage family affairs when a family member is called to active duty, including during an employee's first year of service; and
- Bereavement after the death of a family member, including during an employee's first year of service.

Note: Requests for LWOP as part of a reasonable accommodation must be directed to OCR for action.

In making requests for extended LWOP, employees should be aware their eligibility for benefits may be affected. For example, employees who remain on LWOP for more than one year, lose eligibility for enrollment in the Federal Health Benefits program. Full details on the effect of extended LWOP on federal benefits can be

found on the Office of Personnel Management’s website as follows:
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/effect-of-extended-leave-without-pay-lwop-or-other-nonpay-status-on-federal-benefits-and-programs/>.

For planning purposes, employees should always be aware that holidays occurring within a period of non-pay status for which pay would otherwise be received are recorded as LWOP. If the employee is in a pay status at the close of business on the last workday preceding the holiday or at the beginning of business on the first workday following the holiday, the employee receives pay for the holiday.

480.3.7.1 LWOP Approval Requirements
 Effective Date: 05/28/2024

All LWOP requests must be made in writing by Action Memo or email, as well as recorded in the time and attendance system by the employee through the supervisor. The request must include the reason for the LWOP, and the proposed beginning and end dates. Requests must be submitted as follows:

- a. Career FS and CS employees: The following approvals are required for LWOP from both CS and FS employees of USAID.

LWOP Requested	Approving Officer
<i>For overseas employees:</i>	
30 days or less	Mission Director
More than 30 days but not to exceed 90 days	Mission Director with advance notification to HCTM/FSC
More than 90 days	Director, HCTM/FSC with mission concurrence
<i>For USAID/W employees:</i>	
30 days or less	Second level supervisor
More than 30 days but not to exceed 90 days	Head of Office or Bureau AA (which may be delegated to DAA) with approved documentation to HCTM/HCSC or HCTM/FSC through the automated system 14 calendar days prior to the effective date
More than 90 days (Foreign Service Employees Only)	Director, HCTM/FSC with recommendation from the Exceptions Committee

LWOP Requested	Approving Officer
More than 90 days (Civil Service Employees Only)	Head of Office or Bureau AA (which may be delegated to DAA) with approved documentation to HCTM/HCSC through the automated system 14 calendar days prior to the effective date

Note: In accordance with the policy in [ADS 481, Family and Medical Leave](#), exceptions to the above approval requirements must be granted for LWOP requests under the [Family and Medical Leave Act](#).

- b. Foreign Service Career Candidates: Supervisors may authorize career candidates up to 80 hours of leave without pay in the time and attendance system, in accordance with this chapter and [3 FAM 3510](#). Leave without pay of more than 80 hours in a leave year may be granted to career candidates for compassionate reasons (illness, or family and medical reasons under the Family and Medical Leave Act, and for personal emergencies). Requests for LWOP of more than 80 hours must be made in writing by the employee through the supervisor to the Director, HCTM/FSC, through the automated system . Since career candidates are on a five-year limited appointment, which statutorily cannot be extended, except in very limited circumstances (see [ADS 414 mad 4\(c\)](#)), requests for extended periods of leave without pay are not recommended prior to tenure and must not be approved if the period of absence would place a career candidate in jeopardy of separation, due to the expiration of the five-year appointment before tenuring requirements are met. Time in LWOP status of 80 hours or less in one year does not affect the 36 months continuous USAID service requirement for tenure.

480.3.8 Absence without Leave (AWOL)
Effective Date: 05/28/2024

Absence without leave (AWOL) is an absence from duty which is not authorized or for which a request for leave was properly denied. The employee receives no pay for the period of absence. If the circumstances surrounding the absence would have been approved, the AWOL may be excused and charged to the appropriate approved leave account. The Agency complies with the policies and procedures governing AWOL, as set out in [3 FAM 3520](#):

- a. The minimum charge of absence without official leave is 15 minutes; additional charges are in multiples thereof;
- b. Pay is forfeited for all absences charged AWOL;
- c. If an employee is charged AWOL and can provide an explanation acceptable to management and/or acceptable documentation, e.g., medical certification or

court documentation, to justify the absence, the supervisor may approve the employee's request for annual leave, sick leave, other paid leave, or leave without pay, as appropriate. However, if the employee is unable to provide acceptable explanation/documentation, the charge of AWOL remains.

- d. Absence without official leave may form the basis for taking disciplinary action, in accordance with [ADS 485, Disciplinary Action Foreign Service](#) and [ADS 487, Disciplinary and Adverse Actions Based upon Misconduct - Civil Service](#).

480.3.9 Leave for Seeking Safety and Recovery from Domestic Violence, Dating Violence, Sexual Assault, or Stalking
Effective Date: 05/28/2024

All possible leave options should be considered when an employee and/or an employee's family member(s) are victims of domestic violence, dating violence, sexual assault, or stalking. An employee must provide reasonable advance notice to the supervisor by submitting a leave request in the automated time and attendance system when the need for time off is foreseeable.

The employee is not required to provide personal details in their request for leave. However, employees are required to provide enough information in their leave requests so their supervisors know which type of leave is appropriate (e.g., sick leave, annual leave, Family and Medical Leave Act (FMLA), etc.).

Supervisors should consider whether an employee is entitled to a certain type of leave (e.g., FMLA or sick leave) or whether an employee's request for leave other than under FMLA should be granted.

If the employee is not available or able to submit the leave request, the employee may designate someone else to make the request on their behalf. Employees are not required to provide verification or proof of the domestic violence, sexual assault, or stalking but may self-certify their need for leave. Verification or proof may include, but is not limited to a service provider's statement, a protection order, medical records or doctor's statement, or police or court reports.

The supervisor must under no circumstances require the employee to contact law enforcement or otherwise report the violence as a condition for accessing leave. To do so could place victims in greater danger.

All available workplace flexibilities must be made available to an employee who is or whose family member is suffering from domestic violence, sexual assault, or stalking to include but not limited to, telework, flexible work schedules, credit hours, and compensatory time off (see [ADS 405](#), [ADS 472](#), and [ADS 479](#)).

480.3.10 Workers Compensation Buy Back of Leave (Leave Repurchase)
Effective Date: 05/28/2024

An employee may use sick leave and/or annual leave during a period of absence, due to an on-the-job injury or illness. Subject to Office of Workers Compensation Programs (OWCP) approval, an employee has the option of buying back leave used as a result of a work-related injury or illness. The employee must request the leave record be changed to leave without pay within one year after the date leave was used or the date the claim was accepted, whichever is later. The request must be based on an OWCP accepted claim and must be justified by medical evidence supporting the periods of absence (see [ADS 442, Workers' Compensation Program](#)).

480.3.11 Disposition of Leave Balances

Effective Date: 05/28/2024

The Agency complies with the policies and procedures governing the disposition of leave balances, as set out in [3 FAM 3330](#).

480.4 MANDATORY REFERENCES

480.4.1 External Mandatory References

Effective Date: 05/28/2024

- a. [3 FAH-1 H-3320 Officers Exempted from Leave Act](#)
- b. [3 FAH-1 H-3420 Sick Leave](#)
- c. [3 FAH-1 H-3460 Other Paid Leave](#)
- d. [3 FAH-1 H-3510 Leave Without Pay \(LWOP\)](#)
- e. [3 FAM 3300 Leave Administration](#)
- f. [3 FAM 3313 Leave Procedures](#)
- g. [3 FAM 3320 Officers Exempted from Leave Act](#)
- h. [3 FAM 3400 Paid Leave](#)
- i. [3 FAM 3460 Other Paid Leave](#)
- j. [3 FAM 3500 Unpaid Leave](#)
- k. [5 CFR 550 Pay Administration](#)
- l. [5 CFR 630 Absence and Leave](#)
- m. [5 USC 5551](#) Lump-sum payment for accumulated and accrued leave on

separation

- n. [5 USC 6301-6304 \(Annual Leave\)](#)
- o. [5 USC 6305 \(Home Leave\)](#)
- p. [22 USC 2391 Missions and Staffs Abroad](#)
- q. [22 USC 4081 Travel and Related Expenses](#)
- r. [Guidance for Agency-Specific Domestic Violence, Sexual Assault and Stalking Policies](#)

480.4.2 Internal Mandatory References

Effective Date: 05/28/2024

- a. [ADS 405, Telework and Remote Work Program](#)
- b. [ADS 470, Pay Under the Foreign Service](#)
- c. [ADS 471, Pay Under the General Schedule](#)
- d. [ADS 472, Premium Compensation](#)
- e. [ADS 479, Hours of Duty](#)
- f. [ADS 480mab, Provision for Crediting Prior Service for Determining Annual Leave Accrual Rate](#)
- g. [ADS 480mac, Disabled Veteran Leave](#)
- h. [ADS 481, Family and Medical Leave](#)
- i. [ADS 482, Voluntary Leave Transfer Program](#)
- j. [ADS 625, Accounts Receivable and Debt Collection](#)
- k. [ADS 626, Payroll and Time and Attendance Transactions](#)

480.4.3 Mandatory Forms

Effective Date: 05/28/2024

- a. [AID-480-1, Leave Restoration Request Form](#)
- b. [AID-480-2, Credit of Prior Service for Determining Annual Leave Accrual Rate Approval Form](#)

480.5 ADDITIONAL HELP
Effective Date: 05/28/2024

- a. [National Finance Center-Employee Personal Page \(NFC-EPP\) leave calculator](#)
- b. [OPM's Pay and Leave Fact Sheets](#)

480.6 DEFINITIONS
Effective Date: 05/28/2024

See the [ADS Glossary](#) for all ADS terms and definitions.

Act of God

An act of nature, including hurricanes, tornadoes, floods, wildfires, earthquakes, landslides, snowstorms, and avalanches. (**Chapter 480**)

Administrative Error

An error due to the failure to follow Agency policies and essential procedures which results in loss of annual leave through no fault of the employee, or an error made on official leave records. (**Chapter 480**)

Alternate Worksite

A location where an employee is authorized to perform telework, such as an employee's home. This term is described in 5 U.S.C. chapter 65. (**Chapter 405**)

Approving Officer

The person, usually a supervisor, responsible for administering leave for employees in a operating unit. (**Chapter 480**)

Decision Officer

The officer designated by the Administrator who is responsible for determining an exigency of the public business exists, and there is no alternative to cancellation of approved leave. Decision officers are (a) assistant administrators and heads of independent offices reporting directly to the Administrator, and (b) heads of overseas Missions (limited to determining the existence of an exigency and concurring in cancellation of scheduled annual leave by the supervisor or other approving officer). If the officer's leave is affected or if the decision officer approved the leave in question, the decision authority passes to the next higher level. (**Chapter 480**)

Domestic Violence

A pattern of coercive behavior, including acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, current or former intimate partner, current or former dating partner, or person with whom the perpetrator shares a child in common. This behavior includes, but is not limited to, physical or sexual violence, emotional and/or

psychological intimidation, verbal abuse, stalking, economic control, harassment, threats, physical intimidation, or injury. Domestic violence can occur in any relationship, regardless of socioeconomic status, education level, cultural background, age, gender, race, ethnicity, sexual orientation, gender identity, or religion. Domestic violence can occur in heterosexual and same-sex intimate relationships, including marital, cohabiting, or dating relationships that are not dependent on the existence of a sexual relationship (**Chapter 480**)

Exempt from Leave

Individuals who are not covered by the leave laws by virtue of the nature of their appointment and consequently do not accrue or use annual, sick, or home leave. (**Chapter 480**)

Exigency of the Public Business

An operational demand beyond the Agency's control and of such importance as to preclude the use of scheduled annual leave. Examples: insurrection, violence, natural or man-made disasters, medical evacuation, emergency visitation, or sudden call to jury or military duty. Normal workload, inadequate staffing, absence of other employees, and poor leave planning do not constitute an exigency of the public business and are not justifications for canceling scheduled leave. (**Chapter 480**)

Extended Exigency

An exigency of such significance as to threaten national security, safety, or welfare, which lasts more than three calendar years, which affects a segment of the Agency or occupational class, or precludes subsequent use of both restored and accrued leave within specified time limits. (**Chapter 480**)

Family Member (immediate relative)

1) Spouse and parents thereof; 2) Sons and daughters, and spouses thereof; 3) Parents and spouses thereof; 4) Brothers and sisters, and spouses thereof;(5) Grandparents and grandchildren, and spouses thereof;(6) Domestic partner (an adult in a committed relationship with another adult, including both same-sex and opposite-sex relationships) and parents thereof, including domestic partners of any individual in (1) through (5), above; and (7) Any individual related by blood or affinity whose close association with the deceased was such as to have the equivalent of a family relationship. (**Chapter 480**)

Forfeited Annual Leave

Annual leave which exceeds an employee's ceiling at the end of the leave year. (**Chapter 480**)

Leave Year

Begins on the first day of the first full biweekly pay period in a calendar year. A leave year ends on the day immediately before the first day of the first full biweekly pay period in the following calendar year. For leave year dates through 2030 [Fact](#)

[Sheet: Leave Year Beginning and Ending Dates.](#) (Chapter 480)

Operating Unit

An office, staff, or other unit below the Bureau or independent office. (Chapter 480)

Resident Hire Employees

USAID Foreign Service (FS) employees who are unable to accept all the obligations of a long-term, worldwide career service, or who reside in the country of assignment primarily for reasons other than employment in the Foreign Service, who are (a) A dependent of a U.S. citizen employed overseas who is at least 18 years of age and who is expected to remain at a post only for the duration of the employee's assignment or a vacation period, (b) U.S. citizen who resides in a country primarily for reasons other than employment with a U.S. Government agency, (c) An employee who, for personal reasons, is unwilling to transfer to another post. (Chapter 480)

Scheduled Annual Leave

Annual leave requested and approved in advance in writing in time and attendance system. (Chapter 480)

Sexual Assault

A range of behaviors, including but not limited to, a completed nonconsensual sex act (e.g., rape, sodomy, child molestation), an attempted nonconsensual sex act, and/or abusive sexual contact. Sexual assault includes any sexual act or behavior that is perpetrated when someone does not or cannot consent. A victim of sexual assault may know the perpetrator, such as a co-worker or a supervisor, and/or may be involved in a dating or marital relationship with the perpetrator, or the perpetrator may be unknown to the victim. Lack of consent should be inferred when a perpetrator uses force, harassment, threat of force, threat of adverse personnel or disciplinary action, or other coercion, or when the victim is asleep, incapacitated, unconscious, or physically or legally incapable of consent. (Chapter 480)

Stalking

Stalking refers to harassing, unwanted, or threatening conduct that causes the victim to fear for his or her safety or the safety of a family member. Stalking conduct may include, but is not limited to, following, spying on, or waiting for the victim in places such as home, school, work, or recreation place; leaving unwanted items, presents, or flowers for the victim; making direct or indirect threats to harm the victim, the victim's children, relatives, friends, pets, or property; posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth; and obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, or contacting victim's friends, family, work, or neighbors. Stalking may occur through use of technology, including but not limited to, email, telephone, voicemail, text messaging, and use of GPS and social networking sites. (Chapter 480)

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