

HEADQUARTERS  
UNITED STATES EUROPEAN COMMAND  
UNIT 30400, BOX 1000  
APO AE 09128

EUCOM DIRECTIVE  
NUMBER 30-12

15 July 1999

**PERSONNEL**

Hours of Duty

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1. **Summary.** This directive prescribes policies pertaining to hours of duty for civilians in an "Alternative Work Schedule" (AWS) environment. It addresses AWS options and parameters, normal hours of operation, hours worked in excess of the basic workweek, and leave policies.
  2. **Applicability.** This EUCOM Directive (ED) applies to all U.S. civilian employees of HQ USEUCOM, HQ USEUCOM Separate Staff Activities or Agencies, USEUCOM Security Assistance Organizations, the George C. Marshall Center, and other USEUCOM field activities.
  3. **Internal Control Systems.** This ED does not contain internal control provisions and is not subject to the requirements of the internal management control program. For HQ USEUCOM and subordinate joint activities, the applicable internal control directive is ED 50-8, Internal Management Control Program.
  4. **Suggested Improvements.** The proponent for this ED is ECJ1-C. Recommendations for changes or corrections should be sent to HQ USEUCOM, ATTN: ECJ1-C, Unit 30400, Box 1000, APO AE 09128.
  5. **References.**
    - a. 5 Code of Federal Regulations (CFR), Part 610, Hours of Duty, Subparts A, B and D.
    - b. 5 CFR, Secs 550.111 to 550.114, Overtime Pay.
    - c. 5 CFR, Part 630, Absence and Leave.
    - d. Office of Personnel Management "Handbook on Alternative Work Schedules," Dec 1996.
    - e. DoD Directive 1400.25-M, Civilian Personnel Management System (CPMS), Subchapter 610, Hours of Duty.

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This Directive Supersedes SM 5-11, dated 27 Jun 96.

- f. DoD Directive 1400.25-M, CPMS, Subchapter 630, Leave.
- g. DoD Instruction 1422.1, Hours of Duty.
- h. AR 690-990-2, Book 550, Pay Administration (General).
- i. AR 690-990-2, Book 630, Absence and Leave.
- j. DoD Financial Management Regulation, Volume 8, Civilian Pay Policy & Procedures, January 1995.

6. **Responsibilities.**

a. The Director, Manpower, Personnel and Administration is responsible for the development and provision of civilian personnel policy guidance for USEUCOM, and, through the Office of the Civilian Personnel Advisor, assures USEUCOM prepares and disseminates information about hours of duty requirements, leave, and Alternative Work Schedule programs.

b. Supervisors of USEUCOM civilian employees are responsible for:

(1) Managing AWS so there is no adverse mission impact, and taking immediate steps to rectify such impact if/when it occurs.

(2) Offering employees maximum opportunity to take advantage of AWS options.

(3) Assuring that employees earning credit hours accomplish meaningful work.

(4) Scheduling work to minimize the need for overtime.

(5) Making reasonable efforts to encourage employees to use compensatory time and credit hour balances in a timely manner.

(6) Assuring that employees schedule and use annual leave so as to avoid forfeiture.

(7) Verifying the accuracy of time and attendance (T&A) reports prior to submission. Supervisory signature on a T&A report constitutes confirmation of the correctness of the information. Supervisors may be held accountable for erroneous T&A reports.

c. All USEUCOM civilian employees are responsible for:

(1) Adhering to established schedule requirements.

(2) Making appropriate efforts to use accrued compensatory time and credit hours as soon as the work schedule permits.

(3) Scheduling and using annual leave so as to avoid forfeiture.

(4) The timely submission of accurate T&A reports. Employees who knowingly submit false T&A information will be subject to disciplinary action.

7. **Standard Tour of Duty**. The normal tour of duty is Monday through Friday, 0800 to 1700, with a one hour lunch break.

8. **Alternative Work Schedules**. USEUCOM supports the use of AWS to the maximum extent that mission requirements permit. Supervisors are authorized to make deviations in the standard tour of duty through the use of flexible or compressed work schedules, as outlined below.

a. **General Principles.**

(1) Employees will have a fixed schedule, consistent with the parameters of the AWS option under which they are working. The established schedule will consider employee preferences within the constraints of mission requirements. Once established, the employee must adhere to that schedule unless it is officially changed.

(2) Schedule Changes.

(a) Employees who wish to change their established schedules must request and receive supervisory approval prior to doing so.

(b) If the supervisor determines that the AWS has adverse mission impact, thereby necessitating a change, the affected employee(s) will be given as much notice as possible.

(3) Lunch Breaks.

(a) Employees will take a minimum 30 minute lunch break during which time they are free from duty. Longer lunch breaks may be established by mutual agreement between the employee and the supervisor.

(b) Lunch breaks will normally be taken between 1100 and 1300. The supervisor may approve deviations if s/he deems it appropriate.

(c) Lunch breaks may not be scheduled at the end of the duty day.

(4) Contingency Situations. In emergency or contingency situations, organizations are authorized to make deviations in normally established work schedules, to include adjustment of core hours. These deviations should last no longer than mission requirements clearly necessitate, and should be coordinated through ECJ1-C to assure no inappropriate impact.

**b. Flexible Work Schedules.** Under a Flexible Work Schedule (FWS) program, full-time employees work ten days, eight hours per day, in an 80 hour pay period. With the approval of the supervisor, the employee may, however, establish arrival and departure times differing from the normal tour hours. Part-time employees are also eligible to establish flexible work schedules. The following parameters apply:

(1) Duty Hours.

(a) Day Shift Employees:

(1) Core hours are between 0830 and 1500, Monday through Friday. With the exception of the lunch break, employees who are not on leave or using accrued "comp time" or credit hours must be in a duty status during this time.

(2) The duty day may begin as early as 0630. Employees may start work at 0630 or at 15 minute intervals thereafter until 0830.

(3) The regular duty day may not end earlier than 1500. The ending time is computed by adding eight (8) hours, plus the scheduled lunch break, to the starting time.

(b) Swing- and Night-Shift Employees: Organizations having employees who regularly work shift schedules must have established FWS parameters, to include explicitly established core hours.

(2) **Credit Hours.** Employees *on an FWS schedule* are authorized to earn credit hours. This term describes time worked in excess of the basic workweek *at the employee's option*. It is not officially ordered in advance by management, although management must approve the employee's request.

(a) The flexible band during which credit hours may be earned is from 0500 to 2300, Sunday through Saturday.

(b) Credit hours may be used in lieu of annual or sick leave on occasions when the employee wishes to take time off from work, e.g., military training holidays.

(c) Employees may carry a maximum of 24 credit hours between pay periods. Hours in excess of this amount will be lost.

(d) Employees who are no longer subject to a flexible work schedule will be paid for accumulated credit hours at their current rate of pay.

c. **Compressed Work Schedules.** Under a Compressed Work Schedule (CWS), full-time employees work an 80 hour schedule in fewer than ten work days during a bi-weekly pay period, thereby working more than eight hours per day for some or all of the duty days. (Part-time employees work fewer than ten days per pay period, and may work more than eight hours per day, depending upon their specific tour.) The compression of duty hours results in the employee having all or part of one or more days off during the pay period. The following parameters apply:

(1) Duty Schedules.

(a) All employees must have a fixed tour, with clearly identified hours of duty.

(b) Employees may not have an established CWS tour exceeding ten hours per day. A lesser period may be established with the mutual agreement of the employee and the supervisor.

(c) Day Shift Employees.

(1) Scheduled duty days must include the hours between 0830 and 1500. With the exception of the lunch break, employees who are not on leave or using accrued "comp time" must be in a duty status during this time.

(2) The duty day may begin as early as 0630, or at 15 minute intervals thereafter. The duty day must end not later than 1800. The length of the duty day is the amount of time the employee is in a scheduled duty status, less the lunch break.

(d) Swing- and Night-Shift Employees: Organizations having employees who regularly work shift schedules must have established CWS parameters, to include explicitly established required duty hours.

(2) Scheduled Day Off (SDO).

(a) SDOs must be specifically identified. The schedule may be set up to allow the employee to take either full or part days off, depending on the mutual needs of the employee and the supervisor.

(b) If an employee's SDO falls on a Federal holiday, the employee will be given an alternate scheduled day off.

(1) If the holiday falls in the middle of the week, the employee will be given the next scheduled duty day following the holiday.

(2) If the holiday is celebrated on Friday, the employee will be given the preceding Thursday.

(3) If the holiday is celebrated on Monday, the employee will be given the following Tuesday.

(3) Employees on CWS tours are *not* eligible to earn credit hours.

(4) On holidays, employees will be paid for the number of hours they are regularly scheduled to work.

9. **Overtime**. Overtime identifies hours worked in excess of the regularly scheduled workweek *when they are officially ordered in advance by the appropriate management authority*. Organizations will establish an internal process for approval of overtime.

a. **Paid Overtime**. Overtime pay is calculated at the following rates:

(1) Employees whose basic pay does not exceed GS-10, step 1, will be paid at an overtime rate of one and one-half (1½) times their hourly rate of basic pay.

(2) Employees whose basic pay exceeds GS-10, step 1, are paid at a standard rate of one and one-half (1½) times the hourly rate of GS-10, step 1.

b. **Compensatory Time**. Compensatory time is an alternate method of payment for management-directed overtime. In lieu of salary, employees are given paid time away from the work place equal to the number of overtime hours worked.

(1) Employees whose basic rate of pay is equal to or less than GS-10, step 10, may request compensatory time instead of paid overtime. They may not be required to substitute compensatory time for a salary payment.

(2) Employees whose rate of basic pay is in excess of GS-10, step 10, may be directed to take compensatory time in lieu of a salary payment.

(3) Compensatory time should be taken as soon as possible after it is earned. If not used within 13 pay periods following the time it is earned, the employee will be paid at the basic rate in effect at the time the hours were worked.

10. **Leave.** Employees who are absent from duty during their established workweek must be in an approved leave status or documented as absent without official leave.

a. **Annual and Sick Leave.**

(1) Employees should schedule annual and sick leave in advance whenever possible. In emergency situations, employees should notify the supervisor within two (2) hours of the normal start of the duty day.

(2) Supervisors may, at their discretion, advance sick or annual leave.

(a) The amount of advanced annual leave must not exceed that which the employee would earn during the course of the leave year, or the amount to be earned prior to the expiration of a time-limited appointment, whichever is less.

(b) Sick leave should only be advanced if there is a reasonable expectation the employee will return to work, and only after all accrued sick leave has been exhausted. A maximum of 30 days may be advanced, but the amount will never exceed that which the employee will earn prior to the expiration of a time limited appointment. A medical certificate must accompany a request for advanced sick leave.

(3) Restoration of Annual Leave.

(a) If leave is lost through administrative error, the payroll office will be directed to restore it as soon as possible.

(b) In all other circumstances leave will only be restored if the employee can demonstrate that a timely effort to use annual leave was not possible due to an “exigency of the public business.”

(1) Leave must have been scheduled at least three (3) pay periods prior to the end of the leave year.

(2) The first level supervisor must cancel the leave in writing and identify the “exigency” requiring the cancellation.

(3) The second level supervisor may restore the leave if s/he deems an “exigency” to have existed, and if it was not possible to reschedule the leave during the leave year.

(c) Restored annual leave is placed in a separate account. Small amounts of leave, i.e., five (5) days or fewer, must be used before the current year’s annual leave. Larger amounts must be used within two years from the date of restoration.

b. **Leave Without Pay.** (LWOP) This is an approved leave status, giving the employee an unpaid excused absence from duty. LWOP is appropriate when the employee has insufficient sick leave, annual leave, or compensatory time to cover an approved absence. The employee need not, however, exhaust the paid leave balance before receiving LWOP. The duration for which LWOP is granted will depend upon the reasons for the request.

(1) Extended LWOP is appropriate in situations such as active duty military training of 90 days or less; and extended serious illness when the employee has insufficient sick leave. LWOP for a minimum period of 90 days is also given to eligible employees to allow them to seek employment upon the transfer of a military or civilian sponsor; extensions are at the supervisor's discretion.

(2) Brief periods of LWOP may be given at the supervisor's discretion, and contingent upon no adverse mission impact.

c. **Administrative Leave.** Administrative leave is an approved absence status in which the employee is charged neither sick nor annual leave, but is excused from duty without loss of pay.

(1) Administrative Dismissal. In emergency situations, most commonly inclement weather, group(s) of employees may be dismissed early, directed to report late, or excused from work entirely. Administrative dismissals are authorized at the Chief of Staff level or higher.

(2) Excused Absence. This term refers to brief periods of absence granted to individual employees by managers and supervisors.

(a) Granting excused absence requires supervisory discretion. Excused absence may not be authorized when paid leave is appropriate, but should be used only when the employee's absence clearly serves the best interest of the U.S. Government. Such situations include, but are not limited to, job interviews for other Federal positions, attendance at conferences and conventions; medical examinations prior to military induction; obtaining official passports and visas, directed medical examinations or vaccinations, and privately owned vehicle inspections. Employees should also be granted reasonable periods of time to conduct activities associated with PCS moves.

(b) Supervisors may also excuse employees for periods of less than one hour to accommodate tardiness or brief absences. This authority should be applied infrequently and not solely as a mechanism to give employees additional increments of annual leave.

d. **Absence Without Leave (AWOL).** Employees who do not appear for work in the morning or who are absent during the course of the duty day without suitable explanation should be considered as AWOL. Employees will not be paid for time charged to AWOL, regardless of available leave balances. AWOL may subsequently be changed to an approved leave status if the employee provides a satisfactory explanation of the reason for the absence.

11. **Time and Attendance (T & A) Recording.**

a. Accurate accounting of all duty hours is the responsibility of the employee. All duty hours, credit hours, overtime, compensatory time, leave and/or AWOL must be included on the T&A record. Supervisors are responsible for assuring the propriety of the information submitted by the employee.

b. Organizational timekeepers must be advised as to the work schedule of employees for whom they are responsible, so that the proper work schedule code may be entered into each employee's automated record.

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## APPENDIX A

FREQUENTLY ASKED QUESTIONS  
about  
HOURS OF DUTYWhere can regulatory material on the subjects addressed in the ED be reviewed?

The best place to find personnel regulations is on the U.S. Army Civilian Personnel Homepage. This web site has Army regulations, and also has links to other government web sites providing DoD and Government-wide material. The address is: [www.cpol.army.mil](http://www.cpol.army.mil)

**FLEXIBLE WORK SCHEDULES**1. Are supervisors required to allow employees to use a flexible work schedule?

The flexible work schedule is a management option. Managers are encouraged to allow employees to use it whenever possible, and should have mission-related reasons for not doing so.

2. If an employee chooses to work the “normal” tour of duty from 0800 to 1700, may that still be considered a “flexible schedule?”

The actual hours of duty are not the sole criterion for determining whether the employee works a flexible schedule. For, example, the employee and supervisor mutually agree that 0800 to 1700 best meet their needs, and the supervisor determines that the other flexible work schedule provisions are appropriate for the organization. The employee may then be considered as on a flexible schedule and remain eligible to earn credit hours.

3. How are credit hours different from compensatory time?

Compensatory time is a result of an employee being directed by management to work additional hours. Credit hours are an employee option, available to individuals on a flexible work schedule. They are requested by individual employees rather than by management. While both may be used instead of annual or sick leave, the provisions regarding accrual, payment and carry-over differ. Both must, however, be recorded on the employee's time and attendance record.

4. Are supervisors required to allow employees to work credit hours?

No. Before working any credit hours, an employee should confirm with the supervisor the need for the hours to be worked. Supervisors may deny a request when it is not in the best interests of the mission. For example, the supervisor may turn down a request if there is not sufficient workload to support the additional hours. If the employee is a trainee or has performance problems, the supervisor may require work to be performed only during the normal duty day when adequate supervision is available.

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In addition, supervisors who approve employee requests to work credit hours must consider the overall mission impact. For example, an employee who works 16 credit hours on a weekend is likely to be less productive during the regularly scheduled workweek. It is appropriate for supervisors to approve credit hours, but simultaneously set limits on the number of hours the employee may work, e.g., no more than five hours on any weekend day. Supervisors should also be able to confirm that meaningful work has been accomplished during credit hour periods.

5. How does the credit hours option work?

This is best explained by an example: an employee has a regular work schedule of 0700 to 1600, with an hour lunch. With supervisory approval, the employee works from 0700 to 1700 for the first eight days of the pay period, and earns eight credit hours. The time card shows one credit hour earned for each of those days. The employee then applies those hours to a military training holiday, does not report for duty, and marks the time card as having taken eight credit hours.

6. Are there limits on when credit hours may be earned?

USEUCOM limits the flexible band during which credit hours may be earned to 0500 to 2300, seven days per week. Credit hours may not be earned outside those hours.

7. How are credit hours accrued?

Credit hours are accrued in quarter hour (15 minute) increments. When an employee works less than the full 15 minutes, the employee will always round down to last full quarter hour worked.

**COMPRESSED WORK SCHEDULES**1. How does a Compressed Work Schedule (CWS) function?

The key feature of CWS is that individuals work the 80 hours of a bi-weekly pay period in fewer than ten days. The exact schedule is worked out between the employee and supervisor, but it is important to keep in mind that *the employee is on a fixed schedule*. Because the 80 hours are “compressed” into fewer than ten days, the employee receives scheduled time off during what would otherwise be regular duty hours. For example, the employee works nine hours the first eight days of the pay period, eight hours on the ninth day, and does not report for duty on the last day of the pay period. This is a commonly used alternative, referred to as 5-4/9, but other schedules are possible.

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HOURS OF DUTY2. How is the “scheduled day off” (SDO) determined?

The SDO is identified when the supervisor and employee set up the schedule. Since it is part of a fixed schedule, the SDO may be taken at any time in the pay period; it need not be scheduled only after the employee has worked the full 80 hours. Alternatively, the employee may choose not to take a full day off, but may, for example, take four hours off each Friday afternoon. The key point is that SDO(s) are scheduled in advance, and taken on the same day(s) each pay period.

3. Is an employee compensated for working on the SDO?

Whenever an employee is *directed by management* to come to work on an SDO, the time is treated like any other overtime. The employee is entitled to payment or compensatory time for the hours worked. If, on the other hand, the employee makes a personal decision to come to work, the employee will *not* be paid for that time.

4. May employees on a CWS earn credit hours?

By law, employees on a CWS are *not* permitted to earn credit hours. That option is reserved for employees on a flexible schedule.

5. How are holidays treated on a CWS?

- When a holiday falls on a scheduled duty day, the employee is paid for the number of hours scheduled for that day. For example, if the holiday is on Monday, and the employee is scheduled to work nine hours that day, the employee receives nine hours of holiday pay.
- If a holiday falls on an SDO, the employee is given an alternate day off. If the holiday is celebrated in the middle of the week or on a Monday, the employee is given the following day off. If the holiday falls on Friday, the employee is given the preceding Thursday off.

**OVERTIME**1. What is “call-back overtime work” and how is it paid?

This term refers to situations in which the employee is summoned back to the work site to perform work in excess of the regularly scheduled tour. In these situations, employees are entitled to a minimum of two hours pay. Pay is at the normal overtime rate for the employee.

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HOURS OF DUTY2. Is there an entitlement to compensatory time or overtime for weekend travel?

Normally, there is NO entitlement. This is a complicated subject, and employees should consult personnel experts about specific situations. In general, however, employees may not be paid for travel time outside of normal duty hours. In order for employees to be paid, one of the following four conditions must apply; it must:

- Involve performance of work while traveling (such as driving a truck); OR
- Be incident to travel that involves the performance of work while traveling (such as riding as a passenger in a truck in order to perform some portion of the drive); OR
- Have been performed under extremely arduous and unusual conditions; OR
- Result from an event that could not be scheduled or administratively controlled *by any individual or agency in the executive branch of the Government.*

The last requirement prohibits employees from receiving compensation for weekend travel to attend any meeting scheduled by a Federal agency, since the timing of the meeting is under the control of an individual or agency in the executive branch. A large body of case law supports this decision. The only exception is in cases where an employee travels after duty hours on a Friday (or early Saturday), since it is not practical to expect the individual to remain in the TDY location over the weekend in order to travel on Monday.

3. How are overtime and compensatory time accrued?

Irregular or occasional compensatory time and overtime are accrued in quarter hour (15 minute) increments. When an employee works less than the full 15 minute period, the time is rounded up or down to the nearest quarter hour. (NOTE: The term “irregular or occasional” overtime means that the hours are not part of the employee’s regularly scheduled workweek.)

4. When is an employee entitled to night differential?

Employees who perform *regularly scheduled* work between 1800 and 0600 are entitled to a night differential of 10% of base pay. To be considered “regularly scheduled,” the work must either be part of the employee’s established administrative work week, OR overtime *scheduled in advance of the start of the administrative work week*. Employees who perform unscheduled or emergency overtime work are paid under the appropriate overtime or compensatory time provisions.

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Employees who perform *regularly scheduled, non-overtime* work on Sundays are entitled to Sunday premium pay of 25% of base pay. Employees who perform overtime work on Sundays receive the appropriate overtime rate, or compensatory time; they are not entitled to Sunday premium pay. NOTE: As a result, few employees at USEUCOM are entitled to premium pay. The only exceptions are individuals performing shift work that includes regular Sunday hours, or those assigned to “unusual” shifts during a contingency.

6. How should overtime be requested and approved?

Within USEUCOM, organizations are free to set specific procedures for requesting and approving overtime. Certain principles do, however, apply across the board.

- To the maximum extent possible, overtime should be scheduled in advance to allow both management and employees to do appropriate time planning. Overtime scheduled in advance should be approved in writing by the supervisor, using a DA Form 5172. E-mail or other written document is also adequate, so long as it contains the same information as is on the DA Form. Once the overtime has been approved, the information should be provided to the organizational timekeeper for entry into the automated pay system.
- Overtime is considered to be unscheduled or unplanned when it is not scheduled prior to the start of the administrative work week. Even in these cases, however, overtime should be approved in writing whenever possible. In the absence of any other written approval, a time card signed by the employee and verified by the supervisor may be considered as approval.

7. What is the timekeeper’s role in tracking overtime?

The timekeeper’s responsibility is essentially data entry, that is, to accurately input specified information into the automated timekeeping system. The timekeeper is not responsible for “hunting down” T&A information, not responsible for confirming that scheduled hours have actually been worked, not responsible for determining the employee’s basic work schedule, and not responsible for determining whether overtime has been scheduled in advance. All of these things are the responsibility of the employee and/or the first line supervisor. The first line supervisor has final responsibility for assuring that the information given to the timekeeper is accurate and complete, and for providing as much advance information about work schedules and overtime requirements as is reasonably possible.

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Both sick and annual leave may be taken in 15 minute increments. Periods of less than 15 minutes must always be rounded-up; for example, an employee who is absent for 50 minutes must be charged one hour of leave.

2. Must employees be given advanced sick or annual leave when requested?

Advancing annual leave is done at management discretion. In making such a decision management must consider the amount requested as compared to the employee's anticipated future service, the reasons for which the leave is requested, and mission requirements.

3. Are employees required to document sick leave with a medical certificate?

Normally, employees are not required to provide medical certificates for illness of less than three days. There is no absolute requirement for employees to submit certificates even for periods of three days or longer. Supervisors may, however, direct all subordinates to submit medical certificates for illnesses of three days or longer; employees should be advised in advance of this requirement. In special situations, where there are concerns regarding leave abuse, supervisors may require an individual employee to provide medical verification for all sick leave use. Supervisors with concerns about sick leave abuse should contact a civilian personnel expert before taking action.

4. How does the Family Medical Leave Act (FMLA) affect sick leave use?

Under FMLA, employees may use sick leave for care of a sick family member, bereavement, and adoption. There is, however, a limitation on the amount of sick leave that may be used for family care and bereavement. The basic limit for full-time employees is 40 hours annually; an additional 64 hours may be used as long as the employee's sick leave balance does not drop below 80 hours. Entitlements for part-time employees are pro-rated. Individuals interested in the adoption provisions should consult a personnel specialist since entitlements depend upon specific circumstances. (NOTE: The FMLA also guarantees employees the right to 12 weeks of unpaid leave in a leave year for family care, bereavement, and adoption.)

5. If an employee becomes ill while on annual leave, may the leave status be changed?

Whenever an employee who is on leave becomes ill, the annual leave status may be changed to sick leave for the appropriate period. Employees are also entitled to change the annual leave to sick leave if they meet the FMLA sick leave provisions.

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Employees may not be required to take leave on military training holidays. Employees who wish to work on training holidays must be allowed to do so. In the event the supervisor does not want the employee to work without supervision, appropriate supervision must be provided. Aside from those situations, and those where the employee does not have a security clearance, it is not necessary to have a military member present when a civilian is working.

7. May employees be given administrative leave on a military training holiday?

It is NOT appropriate to give civilians administrative leave on military training holidays. Civilians who choose not to report for duty must treat training holidays like any other day of leave. They may take annual leave, compensatory time, credit hours, use a Time-Off Award balance, or some combination thereof.

8. What is the difference between “leave without pay” and “absence without leave”?

Leave Without Pay (LWOP) is an approved leave status. The supervisor has authorized the employee's absence from the work site during the normal tour of duty. Unlike other forms of approved leave, however, the employee is not paid for LWOP time. Absence Without Leave (AWOL), on the other hand, is not an approved status. It is used whenever the employee is absent from the work site without supervisory approval. The supervisor may also charge AWOL if the employee's reason for not requesting leave in advance is not satisfactory.

9. Is charging an employee with AWOL considered to be a disciplinary action?

Placing an employee in an AWOL status is not in and of itself a disciplinary action. It is, in fact, the appropriate status for any employee who has not shown up for duty without prior approval, not telephoned to explain the reasons for absence within the first two hours of the duty day, or who “disappears” during the course of the duty day. This status can readily be changed to an approved leave status if the employee later provides a satisfactory reason for the absence. (On the contrary, an approved leave status cannot easily be changed to AWOL.) Any supervisor who wishes to take disciplinary action in conjunction with AWOL should consult the Civilian Personnel Advisory Center (CPAC).

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Any LWOP of 30 days or more must be documented in an employee's Official Personnel File. If the initial grant is for less than 30 days, but is later extended past that point, the entire period must be documented. Supervisors should contact their organization's civilian personnel point of contact to assure that a personnel action is submitted.

11. When closures or reporting delays are authorized in emergency situations, such as inclement weather, "mission essential personnel" are required to report. Is this the same as people who are categorized as "emergency essential?"

No. The term "emergency essential" refers to positions subject to deployment or required to remain in a foreign area in the event of a non-combatant evacuation. This status is noted in the position description. It has no relationship to the "mission essential personnel" designation used in connection with emergency closures or delays. "Mission essential personnel" are individuals in positions so critical to day-to-day mission needs that they must be present even in circumstances when most employees are not required to report. Employees considered to be "mission essential" should be so advised by their supervisors.

12. What happens to an employee who is on leave when an emergency closure is announced?

When an installation is closed for an entire day, all non-mission essential personnel are charged administrative leave, regardless of whether or not they are in a personal leave status for that day.

13. What happens to employees on sick or annual leave when a reporting delay or an early dismissal is announced?

The employees are charged sick or annual leave for the entire day. They are *not* given administrative leave for the period of the reporting delay or early dismissal.

14. What happens to an employee who leaves before an administrative dismissal occurs?

- Employees who leave prior to the announcement of an early dismissal will be charged leave for the entire period remaining until the end of the *regular* workday.
- Employees who make a decision to leave *after* the announcement of an early dismissal but *before* the time it takes effect, will be charged leave only for the period between their time of departure and the official dismissal time. (NOTE: In *unusual* situations, where remaining until the official dismissal poses a genuine hardship to the employee, the supervisor may grant additional administrative leave.)

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about  
HOURS OF DUTY15. When may a supervisor give an employee administrative leave of less than one hour?

Commonly described as the “59 minute rule,” supervisors have authority to grant administrative leave for tardiness and short absences from the duty site. This is not intended to provide a regular supplement to annual leave. For example, it is appropriate to authorize administrative leave if the employee has made a reasonable effort to get to work on time but is late because of *unusual* traffic problems. Employees should not, however, be given administrative leave for habitual tardiness due to “traffic.” It might also be reasonable for the supervisor to authorize a brief absence so that the employee can take care of personal business prior to an extended TDY. Supervisors should exercise prudent judgment in using this authority, and should contact the CPAC if they have questions.

16. What are the rules regarding administrative leave in connection with a PCS?

There are few hard and fast rules regarding the amount of administrative leave that may be given for relocation purposes. Normally three days is the maximum amount of time given for cleaning quarters and outprocessing before departure; this does not include pack-out of household goods. For inbound personnel, both the employee and the supervisor should use reasonable judgment about the situation. For example, it is appropriate to give administrative leave for house-hunting, driver licensing and POV registration, registering children in school, receipt of household goods, transfer and/or connection of telephone and utilities, and other similar activities. The regulations do not stipulate any minimum or maximum amounts of time allowed. The employee should make an effort to minimize the time away from work, and the supervisor should exercise flexibility in assisting the employee to “settle in” so that s/he may fully focus on the job.

17. Is there a complete list of the reasons for which administrative leave may be given, and amounts of time allowable?

There is no comprehensive list of circumstances appropriate for granting administrative leave. The overriding criterion is that the leave must be in the best interest of DoD. Common examples of situations where administrative leave is appropriate include: Serving as a representative in an adverse action, appeal, or EEO case; directed medical examinations and vaccinations; medical examinations prior to military induction; emergency treatment for on-the-job injuries; personal vehicle inspections; job related examinations and certification processes; emergency rescue work; and blood and bone marrow donations. (NOTE: Blood and bone marrow donations do not qualify if the purpose is to provide for the employee’s own use in the future.) A very few of these situations have associated time limitations. For example, blood donations may normally not exceed four hours per instance, and bone marrow donations are limited to seven days. Individuals with questions about specific situations should contact the CPAC.

APPENDIX A (Cont)

FREQUENTLY ASKED QUESTIONS  
about  
HOURS OF DUTY

18. Are employees entitled to administrative leave for volunteer activities?

If the employee is participating in an organizationally sponsored activity, such as an organization day picnic, administrative leave is appropriate. In all other cases the employee must take annual leave, credit hours, compensatory time, or use a Time-Off Award balance. Supervisors are encouraged to support employee volunteer activities by adopting a liberal leave approach to employee requests.

19. Is an employee living in government quarters entitled to administrative leave for home repairs?

No. Absence for home repairs, regardless of where the employee lives, is treated like any other personal business. Employees must use annual leave, compensatory time, or credit hours.