



## Office of Human Resources and Administration Worklife and Benefits Service (058)

### Fact Sheet – Voluntary Leave Transfer Program

An employee may donate annual leave **directly** to another Federal employee who has a personal or family **medical emergency** and who has exhausted his or her available paid leave. This program applies to both Title 5 and Title 38 employees.

#### Definitions:

**Medical emergency** - a medical condition of an employee or a family member of the employee that is likely to require the employee's absence from duty for a prolonged period of time and will result in a substantial loss of income to the employee because of the unavailability of paid leave for at least 3 workdays, or in the case of a part-time employee with an uncommon tour of duty, the average number of hours of work in the employee's biweekly scheduled tour of duty.

**Family member** - Family member means the following relatives of the employee:

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

#### Employee Application to Become a Leave Recipient:

An employee's written request to become a leave recipient must contain the following information:

- Name, position title, and grade of the potential leave recipient;
- The reasons why donated leave is needed, including a brief description of the nature, severity, and anticipated duration of the medical emergency, and if it is a recurring one, the approximate frequency of the medical emergency; and
- Medical certification from one physician or other appropriate expert, with regard to the medical emergency.

Additional information may be requested to support the application to become a leave recipient.

#### Limitations on Leave Donations:

In any leave year, an employee may donate not more than one-half of the amount of annual leave he or she would accrue during a leave year. For employees with "use or lose" annual leave, the employee may donate the lesser of one-half of the annual leave he or she would accrue in a leave year or the number of hours remaining in the leave year for which the employee is scheduled to work and receive pay.

#### Set-Aside Accounts:

While using donated leave, a leave recipient can accrue no more than 40 hours of annual leave and 40 hours of sick leave in "set-aside accounts." The leave in the "set-aside accounts" will be transferred to the employee's regular leave accounts when the medical emergency ends or if the employee exhausts all donated leave.

#### References:

- 5 U.S.C. 6331-6340
- 5 CFR, Part 630, Subpart I
- VA Handbook 5011, Part III, Chapter 2, paragraph 19