VA HANDBOOK 5011/4 Transmittal Sheet August 12, 2005

HOURS OF DUTY AND LEAVE

- **1. REASON FOR ISSUE:** To issue Department of Veterans Affairs (VA) policy regarding hours of duty and leave.
- **2. SUMMARY OF CONTENTS/MAJOR CHANGES**: The pages in this transmittal replace the corresponding pages in VA Handbook 5011 dated April 15, 2002. This change revises military leave charges for Title 38 employees who are charged leave on a daily basis. This change will be incorporated into the electronic version of the VA Handbook 5011 that is maintained in the Office of Human Resources Management and Labor Relations Web site.
- **3. RESPONSIBLE OFFICE:** Worklife and Benefits Service (058), Office of the Deputy Assistant Secretary for Human Resources Management and Labor Relations.
- **4. RELATED DIRECTIVE:** VA Handbook 5011, Hours of Duty and Leave.

5. RESCISIONS: None.

CERTIFIED:

BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:

/s/Robert N. McFarland Assistant Secretary for Information and Technology /s/R. Allen Pittman Assistant Secretary for Human Resources and Administration

authority of section 7405(a)(1)(A) shall not be advanced in an amount in excess of that amount which could accrue during the remainder of the current appointment.

<u>2</u>. Sick leave not to exceed 45 calendar days at any time may be advanced to full-time physicians, dentists, podiatrists, chiropractors, and optometrists appointed under authority of 38 U.S.C. 7306, 7401(1) or 7405(a)(1)(A). However, sick leave shall not be advanced in an amount in excess of that amount which could accrue during the remainder of the current appointment.

(b) Full-Time Nurses, PAs, and EFDAs

- 1. Annual leave, not to exceed 208 hours, may be advanced to a full-time nurse, nurse anesthetist, PA, or EFDA at any time.
- <u>2</u>. Sick leave, not to exceed 312 hours, may be advanced to a full-time nurse, nurse anesthetist, PA, or EFDA at any time.
- (c) Part-Time Physicians, Dentists, Podiatrists, Chiropractors, Optometrists, Nurses, Nurse Anesthetists, PAs and EFDAs. Part-time physicians, dentists, podiatrists, chiropractors, optometrists, nurses, nurse anesthetists, PAs and EFDAs may be advanced annual and sick leave based on the ratio which their employment bears to full-time employment and the amount of annual and sick leave that may be advanced to a full-time employee covered by subparagraph (3)(a) and (b). For example, a half-time employee who is not on a time limited appointment may be advanced up to 104 hours of annual leave and up to 156 hours of sick leave at any time during the leave year.
- (d) Leave Advanced During Time-Limited Appointments. Advance sick and annual leave may not exceed the amount an employee can accrue during the remainder of any time limited appointment.

NOTE: Sick leave may be advanced to full- or part-time employees irrespective of whether or not there is annual leave to the employee's credit.

7. OTHER LEAVE

a. Military Leave

- (1) A full-time employee appointed under authority of 38 U.S.C. 7306, 7401(1), or 7405 (a)(1)(A) not limited to 1 year or less is eligible for and shall be granted military leave in the same manner as other Federal employees. [The granting and charging of military leave contained in chapter 2 of this part for title 5 employees is also applicable to title 38 employees covered under this paragraph. Administrative non-duty days that occur within the period of military service will not be charged to military leave.] However, those employees on 24/7 schedules will [continue to] be charged military leave on a daily basis [for duty days. Administrative claims filed after July 24, 2003 by those employees on 24/7 schedules for crediting annual leave for military leave charged on administrative nonduty days may be accepted for 6 years back from the claim filing date.]
- (2) A part-time employee appointed under authority of 38 U.S.C. 7405(a)(1)(A) not limited to 1 year or less is entitled to leave without loss in pay, time or performance or proficiency rating for active duty or

VA HANDBOOK 5011/4 PART III CHAPTER 3

engaging in field or coast defense training under sections 502-505 of title 32, United States Code, as a member of the Reserve of the armed forces or member of the National Guard. Leave accrues for these employees at the rate of 15 days per fiscal year (to be credited at the beginning of the fiscal year) and, to