

## HOURS OF DUTY AND LEAVE

- 1. REASON FOR ISSUE:** To revise Department of Veterans Affairs (VA) policy regarding leave.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory procedures on hours of duty and leave. The pages in this handbook replace the corresponding page numbers in VA Handbook 5011. Revised text is contained in [brackets]. This revision authorizes employees appointed under 38 United States Code 7405(a)(1)(D) or 7406 to be eligible for military leave and court leave. This change will be incorporated into the electronic version of VA Handbook 5011 that is maintained on the [Office of Human Resources Management Web site](#).
- 3. RESPONSIBLE OFFICE:** Worklife and Benefits Service (058), Office of the Deputy Assistant Secretary for Human Resources Management.
- 4. RELATED DIRECTIVE:** VA Directive 5011, Hours of Duty and Leave.
- 5. RESCISSIONS:** None.

**CERTIFIED BY:**

/s/  
Roger W. Baker  
Assistant Secretary for  
Information and Technology

**BY DIRECTION OF THE SECRETARY  
OF VETERANS AFFAIRS:**

/s/  
John U. Sepúlveda  
Assistant Secretary for  
Human Resources and Administration

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(e) **Long Term Absences and Adoptions.** In cases of serious disability, ailments, or for adoption-related purposes, an employee with no time limit in his or her appointment may be advanced sick leave not in excess of 30 days (240 hours). An employee serving under a time limited or term appointment may be granted sick leave up to the total leave that would otherwise be earned during the term of the appointment. There may not be more than 30 days (240 hours) of advanced sick leave on an employee's record at any one time. In the case of sick leave for family care and bereavement, any or all of the first 5 days (40 hours) used for those purposes each leave year may be advanced. The amount of annual leave to an employee's credit generally will have no bearing on grants of advanced sick leave (5 U.S.C. 6307(d); 5 CFR 630.404).

## 7. OTHER LEAVE

### a. Military Leave

(1) A full-time employee appointed under authority of 38 U.S.C. 7306, 7401(1), [ ]7405(a)(1)(A) [or (D) or 7406] 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.

(2) A part-time employee appointed under authority of 38 U.S.C. 7405(a)(1)(A) [or (D) or 7406] 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 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 the extent that it is not used in a fiscal year, accumulated for the use in the succeeding fiscal years until it totals 15 days at the beginning of a fiscal year. Scheduled workdays and intervening days for which no work is scheduled falling within a period of absence for this duty are not charged to military leave. This entitlement is provided pursuant to authority of 38 U.S.C. 7421.

b. **Court Leave.** Employees appointed under authority of 38 U.S.C. 7306, 7401(1), [ ]7405(a)(1)(A) [or (D) or 7406] are eligible for and shall be granted court leave in the same manner as other eligible Federal employees.

c. **Home Leave.** Employees shall earn and be granted home leave on the same basis as employees subject to the provisions of 5 U.S.C. chapter 63.

## 8. RELIGIOUS, STATE AND LOCAL HOLIDAYS

a. **Religious Holidays.** While there is no official observance of religious holidays, except those which may also be national holidays, it is the policy of VA to permit, when practicable, absence from work for those employees who desire to observe religious holidays. Employees may, under provisions of Public Law 95-390, and applicable regulations, elect to work compensatory overtime for the purpose of taking