

Leave Flexibilities

The Federal Government offers numerous leave flexibilities to assist employees who are affected by a pandemic influenza:

Sick Leave – An employee may use any or all accrued sick leave when he or she is unable to perform his or her duties due to physical or mental illness; is receiving medical examination or treatment; or when he or she would, as determined by the health authorities or a health care provider, jeopardize the health of others because of his or her exposure to a communicable disease.

[Link to guidance](#)

Sick Leave for General Family Care and Bereavement – An employee may use a total of up to 104 hours (13 days) of sick leave each leave year to provide care for a family member who is ill or receiving medical examination or treatment or to make arrangements necessitated by the death of a family member or attend the funeral of a family member. The amount of sick leave permitted for family care and bereavement purposes is pro-rated for part-time employees and employees with uncommon tours of duty in proportion to the average number of hours of work in the employee's regularly scheduled administrative workweek.

[Link to guidance](#)

Sick Leave To Care for a Family Member with a Serious Health Condition – An employee may use a total of up to 12 workweeks of sick leave each leave year to care for a family member with a serious health condition. If an employee has already used 13 days of sick leave for general family care and bereavement purposes (discussed above), the 13 days must be subtracted from the 12 weeks.

[Link to guidance](#)

Annual Leave – An employee may use any or all accrued annual leave for personal needs, such as rest and relaxation, vacations, medical needs, personal business or emergencies, or to provide care for a healthy or sick family member, including providing child care when a child care center is closed due to a pandemic. An employee has a right to take annual leave, subject to the right of the supervisor to schedule the time at which annual leave may be taken.

[Link to guidance](#)

Advance Annual and/or Sick Leave – If an employee has exhausted his or her accrued annual or sick leave, he or she may request advance annual and/or sick leave. The amount of annual leave that may be advanced may not exceed the amount the employee will accrue during the remainder of the leave year. A maximum of 30 days of sick leave may be advanced for an employee's serious disability or illness. [Link to guidance](#)

Leave Without Pay (LWOP) – If an employee has exhausted his or her available annual or sick leave or other forms of paid time off, he or she may request leave without pay (LWOP). LWOP is a temporary nonpay status and absence from duty that, in most cases, is granted at the employee's request. [Link to guidance](#)

Family and Medical Leave – An employee may invoke his or her entitlement to **unpaid** leave under the Family and Medical Leave Act of 1993 (FMLA). Under the FMLA, an employee may take up to 12 weeks of leave without pay for a serious health condition that prevents an employee from performing his or her duties or to care for a spouse, son or daughter, or parent with a serious health condition. An employee may substitute his or her accrued annual and/or sick leave for unpaid leave in accordance with current laws and regulations governing the use of annual and sick leave. [Link to guidance](#)

Excused Absence (Administrative Leave) – *OPM will consult with Federal agencies and Administration officials to develop a consistent, Governmentwide approach to the use of excused absence in appropriate circumstances.*

Donated Leave

If an employee has a personal or family medical emergency or is adversely affected by a major disaster or emergency, he or she may qualify for donated annual leave from the Federal voluntary leave transfer program, voluntary leave bank program, and/or emergency leave transfer program.

Voluntary Leave Transfer Program – The voluntary leave transfer program allows Federal employees to donate annual leave to assist another Federal employee who has a personal or family medical emergency and who has **exhausted his or her own available paid leave**. All agencies must establish a voluntary leave transfer program. [Link to guidance](#)

Voluntary Leave Bank Program – The voluntary leave bank program allows Federal employees who are members of the agency's voluntary leave bank to receive donated annual leave from the leave bank if the employee experiences a personal or family medical emergency and has **exhausted his or her own available paid leave**. An agency is not required to establish a voluntary leave bank program. [Link to guidance](#)

Emergency Leave Transfer Program – An emergency leave transfer program, established by OPM when directed by the President, allows an employee in any Executive agency to donate annual leave for transfer to Federal employees who are adversely affected by a major disaster or emergency, such as a flood, earthquake, tornado, bombing, or a pandemic influenza. An employee is **not required to exhaust his or her available paid leave** before receiving donated annual leave. [Link to guidance](#)

Other Paid Time Off

An employee may use earned compensatory time off, compensatory time off for travel, and/or credit hours if he or she is unable to report for work as a result of a pandemic influenza.

Compensatory Time Off – Compensatory time off is earned time off with pay in lieu of overtime pay for overtime work. [Link to guidance](#)

Compensatory Time Off for Travel – Compensatory time off for travel is earned time off with pay for time spent in a travel status away from the employee’s official duty station when such time is not otherwise compensable. [Link to guidance](#)

Credit Hours – Credit hours are hours an employee elects to work, with supervisory approval, in excess of the employee’s basic work requirement under a **flexible work schedule**. [Link to guidance](#)