

U.S. DEPARTMENT OF EDUCATION
PERSONNEL MANUAL INSTRUCTION

PMI: 630-7

DATE: 1-11-93

APPROVED:
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GROUP

SUBJECT: EXCUSED ABSENCE

Includes: Amendment 1 – Dated 11-2-99 - (Changes inserted in text)
Amendments 2 and 3 – Both dated 2-6-02 – (Changes inserted in text)
Amendment 4 – Dated 2-9-06 - (Changes inserted in text)

I. AUTHORITY

- A. Chapter 63, title 5, United States Code (U.S.C.), provides the basic statute governing the Federal leave system.
- B. Federal Personnel Manual (FPM), Chapters 610, S3 and 630, S11 and FPM Supplement 990-2, books 610, S3, and 630, S11, provide the Office of Personnel Management (OPM) guidelines governing the administration of excused absences.

I. POLICY

- A. It is the policy of the Education Department (ED) that excused absences and administrative dismissals without charge to leave or loss of pay will be authorized only in accordance with the authorities cited in paragraph I above, the FPM, and the provisions of this Instruction.
- B. Excused absences are to be authorized only on an individual basis, except in unusual circumstances when a building is closed, or a group of employees are excused from work for various purposes.
- C. As a general rule, excused absences will be granted only for those situations which are of appropriate benefit to the Department or which the Federal Government wishes to encourage (e.g., blood donations, voting, civil defense activities, etc.). Other appropriate situations are those where it would be inequitable to charge an employee leave (e.g., interview for positions within the Department, consultation with Department officials, visits to health units, etc.).

II. APPLICABILITY

- A. This Instruction establishes the Education Department's policy and procedures on excused absences, provides general information to all ED employees, and promotes consistent application of excused absences throughout the Department.
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- B. This Instruction applies to all ED employees at headquarters and in regional and field locations who are on full-time or part-time tours of duty.

III. DEFINITIONS

- A. Administrative Leave – See Excused Absences.
- B. Excused Absence – (Commonly called administrative leave.) An absence from duty administratively authorized without loss of pay and without charge to leave.
- C. Group Dismissal – An absence from duty granted only by an official responsible for issuing administrative orders to close all or part of the organization when employees are prevented from coming to work or relieved from work for such reasons as interruption of normal operations, managerial reasons, civil activities which the Government is interested in encouraging or local holidays.

IV. RESPONSIBILITY

- A. Specific responsibilities for all concerned parties are defined in ED PMI 630-1, paragraph V.
- B. The Assistant Secretary for Management is responsible for group dismissals and issuing administrative orders that close all or part of the Headquarters and relieves from duty those employees who are not needed to perform essential services.
- C. All leave approving officials below the Deputy Assistant Secretary level are responsible for authorizing excused absences (except group dismissals) in accordance with the provisions of this Instruction, the FPM and Departmental policies. Officials are responsible for consulting with the ED Personnel Office before taking action in any unusual circumstances.

V. EXCUSED ABSENCE UNDER SPECIFIC AUTHORITIES

- A. Registration and Voting
 - 1. It is executive policy to excuse employees for a reasonable time, when practicable to do so without seriously interfering with agency operations, to register or vote in elections or in referendums.
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2. Generally, an employee is excused so as to permit him or her to report for work three hours after the polls open or to leave work three hours before the polls close, whichever results in the lesser time off.
- a. The general rule concerning absence to vote in the Washington metropolitan area elections or referendums at ED headquarters is where the polls are not open at least three hours either before or after an employee's regular hours of work, the employee will be excused for enough time to permit reporting for work three hours after the polls open or leaving work three hours before the polls close, whichever requires less time off.
- b. Application of the general rule
- (1) In Washington, D.C., and in Montgomery and Prince George's Counties in Maryland, polls are open from 7 a.m. to 8 p.m. Therefore, employees voting in Washington, D.C., Montgomery or Prince George's Counties with hours of work listed on the chart may be excused according to the following schedules:

<u>Hours of Work</u>	<u>Excused Absences</u>
8:00 to 4:30	None
8:15 to 4:45	None
8:30 to 5:00	None
8:45 to 5:15	15 minutes
9:00 to 5:30	30 minutes

In Virginia, the polls are open from 6 a.m. to 7 p.m.

<u>Hours of Work</u>	<u>Excused Absences</u>
8:00 to 4:30	30 minutes
8:15 to 4:45	45 minutes
8:30 to 5:00	30 minutes
8:45 to 5:15	15 minutes
9:00 to 5:30	None

- (2) If unusual circumstances necessitate additional absence for voting, the leave approving official may authorize additional time not to exceed eight hours. Advice on individual cases may be obtained from the Personnel Office.

B. Draft Registration and Examination

1. Registration

- a. Employees required to register under the Act of 24, June 1948, as amended, 50 App. U.S.C. et seq. (retitled Military Selective Service Act of 1967), will be excused for the time necessary, not to exceed 1 day, without charge to leave or loss of pay. Time in excess of 1 day is chargeable to annual leave.
- b. Where facilities for registration are made available at activities and employees choose to register elsewhere, the absence shall be charged to annual leave.

2. Examination

- a. An employee ordered to report for physical examination in connection with entry into the armed services of the United States will be excused for such time as is required for the examination, when the request is accompanied by official notice from a proper authority. Absence extending beyond one work day must be supported also by a statement from the examining station. If the employee is ordered to report to other than the nearest examining station by his/her own choice and the absence extends more than one work day, the excess absence will be charged to annual leave or leave without pay.
- b. Absence for periodic examination of reserve and retired members of the armed forces must be charged to sick leave.

C. Civil Defense Activities

1. Executive Order 10529 provides that employees may be excused to participate in a Federally recognized civil defense program for a reasonable period of time up to 40 hours in a calendar year.
2. An employee serving as a volunteer or a member of the National Guard or a State Guard or similar organization in rescue or protective work during an actual emergency such as fire, flood, riot, may be excused without charge to leave. It is within the discretion of the leave approving official, however, to deny permission for such absence if the services of the employee are needed to safeguard Government property or protect the interest of the Government. This provision does not cover absences of employees to protect their own families or property. Such absence will be charged to annual leave or leave without pay.

D. Representational Activities

1. Employees may be entitled to excused absence to represent other employees personally or on behalf of recognized labor organizations.
2. In such cases applicable collective bargaining agreements or grievance or appeal procedures establish and govern this right.

VI. ADMINISTRATIVE DISCRETION

- A. Agencies generally determine the situation in which they will excuse employees from duty.
- B. The following circumstances are the principal ones for which excused absences may be authorized by leave approving officials within the Department. The ED Personnel Office should be consulted before taking action in any unusual circumstances.

1. Tardiness and Other Brief Absences of Less than One Hour

- a. Infrequent tardiness or brief absence from duty of less than one hour and for adequate reasons may be authorized as excused absences, regardless of the time of workday the absence occurs.
- b. When, in the supervisor's judgement, the employee's reasons are inadequate to support approval of excused absence, the employee may request annual leave or, in the absence of an annual leave balance, leave without pay, to cover the tardiness. If the request is approved, the employee cannot be required to work during the remainder of the hour which leave is granted.
- c. If, however, an employee's frequent tardiness or absences appear to constitute an abuse of privilege or if, for any reason, the absence of whatever duration is improper, the charge should be to absence without leave, establishing the potential for disciplinary action. If absence without leave is charged, it may not be charged for more than the actual period of absence. An employee who is ready and able to work may not be prevented from working the remainder of the hour, since that would be tantamount to a suspension.
- d. In any event, all absences, even though excused, should be properly recorded on the employee's time and attendance report.

2. Emergency Rescue or Protective Work

- a. An employee who participates in the local community as a volunteer (or as a member of an organization such as the Civil Air Patrol) in rescue or protective work during an emergency such as fire, flood, riot, or search operations, may be authorized excused absence, if his or her services can be spared and they are not required at the installation to protect Federal property. Normally, a single period of excused absence shall not exceed 3 work days; but, under unusual circumstances the authorizing official may authorize 2 additional days of excused absence.
- b. Excused absence is not authorized for members of volunteer fire companies responding to routine alarms, or for other activities that would require frequent absence from duty.
- c. Employees may participate in pre-emergency civil defense training and test exercises under the provisions of Executive Order 10529 (FPM supplement 990-2, book 630, S11-3).

3. Interviews or Tests

- a. An employee who is in an organization affected by reduction-in-force, or who has been identified for reassignment outside the commuting area, may be authorized excused absence at the discretion of the supervisor to be interviewed or tested for job placement opportunity outside the Department, provided the employee presents acceptable evidence that a bona fide placement opportunity exists. Supervisors shall limit such absences to a reasonable amount of time considering workload, placement opportunities, mutual benefit to the organization and the employee, and other relevant factors. In circumstances other than those described above, annual leave or leave without pay must be charged to employees who are seeking employment outside the Department.
- b. An employee may be granted time without charge to leave for examinations (including Civil Service examinations and medical examinations) required for reassignment or promotion within the Department; examination of non-status employees for conversion of status in position occupied; or examination of non-status employees taken at the request of the supervisor. The appropriate

leave category will be charged for other open competitive Civil Service examinations and qualifying examinations required to transfer to other agencies.

- c. An employee who is in an organization affected by reduction-in-force, or who has been identified for reassignment outside the commuting area, may be made for administrative reasons related to their employment. Examples are fitness for duty examination, examination in connection with application for disability retirement (whether initiated by the employee or the Department), and examination or preventive treatment authorized under the federal Employee's Health Program. Arrangements for such visits should be made in conjunction with the ED Personnel Office.

4. Medical Examination

An employee who participates in a voluntary medical examination program established under Departmental auspices, including mass screening examinations and immunizations, may be authorized excused absence for the time necessary to accomplish the examinations or immunization, including necessary travel time (44 Comp. Gen. 333).

5. Medical Attention

- a. An employee is considered in duty status for the time necessary to visit a medical facility at the employing office for medical attention. If the employee goes home following such a visit because of illness, sick leave (or, if requested, annual leave or, in the absence of sick leave and annual leave, then leave without pay), shall be charged from the time of departure for home, unless the provisions relating to job-related traumatic injury become effective. In the case, the employee's pay may continue without charge to leave for up to 45 days if he or she elects continuation of regular pay in lieu of annual or sick leave. (See FPM chapter 810, Injury Compensation.)
- b. Although a short rest period recommended by medical personnel at the medical facility may be charged as excused absence, visits for convalescent rest periods following a period of sick leave may be excused up to no more than one hour a day. Rest periods of one hour or more should be charged as sick leave when sick leave is available, or if not, to annual leave or leave without pay. When feasible, employees are expected to inform their supervisors in advance of visits to health units.

6. Attendance at Conventions and Conferences

- a. An employee's absence to attend meetings under the auspices of non-governmental organizations, whether or not travel expense is authorized, may be authorized as official duty by persons delegated that authority by the Government Travel Manual. The period of such absence may include time for travel to and from the destination by the usual public conveyance over the generally traveled route. Authorization of such absence will be in accordance with the policies stated in the Government Travel Manual and appropriate agency form.
- b. Attendance at other professional meetings, where the benefit is primarily for the employee rather than for the Department, should be charged to annual leave. Where the meeting does not fall clearly into one of the foregoing categories, excused absence may be granted if the supervisor believes, and the servicing personnel officer concurs, that the benefits to the Department are sufficient to justify it. Excused absences of this type shall be limited to 5 working days per calendar year. Employees will not be excused to attend conferences or conventions of political parties or partisan political groups or parties.

7. Military Funerals

An employee who is a veteran of a war, or of a campaign or expedition for which a campaign badge has been authorized, or a member of an honor or ceremonial group of an organization of those veterans, may be excused from duty for the time necessary, not to exceed 4 hours, to enable him or her to participate as an active pallbearer or as a member of a firing squad or a guard of honor in a funeral ceremony for a member of the armed forces whose remains are returned from abroad for final interment in the United States.

8. Absence for Workday When Office is Not Closed

Absence of up to one workday may be excused in the following circumstances, even though the office remains open or the employee is required to perform essential services (28 Comp. Gen. 111).

- a. Prohibition or restriction of traffic by public authority during working hours which would require a one-way travel time of over 4 hours.

- b. Breakdown of public transportation occurring with so little notice that the employee could not, with diligent effort, report within 4 hours of the beginning of the workday. This provision does not apply if advance notice of a probable breakdown, such as a strike, permits sufficient time to arrange other means of getting to work.

9. Blood Donations

- a. It is the policy of ED to encourage employees to donate blood through the Blood Program of the American Red Cross during the regular visits of the American Red Cross Bloodmobile to the Department. Donations are usually made by scheduled appointment.
- b. An employee who wishes to be excused from duty to donate blood must obtain the supervisor's permission. Whenever possible, supervisors should excuse employees to donate blood. However, when an employee cannot be spared on a given day because of the workload or absence of other employees from the office, the supervisor may deny the employee's request to be excused to donate blood.
- c. When excused to donate blood, a supervisor may allow an employee a period of administrative leave not to extend four hours, beginning at the time of the employee's departure from the office and ending upon return to the office or at the end of the work day if that comes before the four hours has expired. Administrative leave must be taken in one continuous period, which includes the time required to donate blood, and may not be used in several periods on the same or subsequent days.
- d. Employees may be asked by their supervisors to produce evidence (a signed form furnished by the donation center) that he/she donated blood that day.

10. Civil Activities that the Federal Government and the Department are Interested in Encouraging

An employee may be excused, without charge to leave, for short periods of time to participate in civil activities which, because of the public interest, the Federal Government and the Department are interested in encouraging.

11. Change of Station Travel

- a. For employees transferring from one official station to another (where the conditions indicated in the Travel Manual are met), the following types of travel are official Government business not charged to leave:
 - (1) Necessary travel enroute to a new duty station; and
 - (2) Round-trip travel to seek permanent housing.
- b. Transferred employees may be excused for a reasonable amount of time to make personal arrangements and to transact personal business directly related to a permanent change of station which is in the interests of the U.S. Government. This includes such things as making arrangements for the packing and unpacking of household goods, obtaining a driver's license, automobile tags, and passports. In one case, the Comptroller General held that 8 hours was a reasonable amount of time to allow for such purposes (55 Comp. Gen. 770). The amount of time granted should be held to a minimum consistent with the actual time required, and it should not be granted for activities which the employee can accomplish during off-duty hours.

12. After Prolonged Overtime or Travel

When it is not possible or reasonable to reschedule an employee's duty or travel time and regular scheduling would require the employee to travel and/or serve in a duty status for more than 16 hours, the employee may be excused without charge to leave or loss of pay for a reasonable amount of time to recuperate from fatigue or loss of sleep.

- a. In determining the time to be allowed, the adverse effect on work performance, health, or well being, and any safety hazard which might result from working while fatigued, should be considered. Excused absence under this authority will not normally exceed 4 hours.

13. Holiday Dismissals of Certain Employees Under Premium Pay

- a. Employees receiving premium pay under U.S.C. 5545 (c) (1) may be excused without charge to leave on holidays when it is administratively determined that their services are not required on a particular holiday.

- b. When an employee's services are administratively required on a holiday and the employee requests and is granted the day off for personal reasons, the employee will be charged annual leave or sick leave, appropriate.

14. Appeals, Grievances, and Discrimination Complaints

Employees will be provided a "reasonable" amount of official time to prepare and present appeals, grievances and complaints in accordance with the provisions of FPM Supplement 990-1, book III, Parts 713, 752, 771 and 772 and other Departmental Instructions.

15. Consultation with Department Officials

- a. Time, including travel time, spent by an employee in consulting with appropriate supervisors or staffs of personnel and payroll offices concerning questions affecting duties, working conditions, employment status, placement or promotion, pay, and like matters involved in the daily performance of work is official business, not charged to leave. An agreement on the amount of time and arrangements which are satisfactory to the employee, supervisor, and the individual to be consulted should be arrived at in advance.
- b. Officially approved meetings between management and representatives of recognized employee organizations will, whenever practicable, be held on official time. In determining whether the meetings will be on official time, the Department official approving the meeting will take into consideration the workload, length and frequency of meetings, and his/her responsibility to make sure that public business is conducted efficiently.

16. Parent/Teacher and School Counselor Conferences

- a. An employee may be granted up to three hours per absence to attend a parent teacher conference or conferences, up to a maximum of 12 hours per calendar year, without charge to leave for attendance at parent/teacher and/or school counselor conferences.
- b. This applies to parents, foster parents, or those who claim children as dependents as defined by Internal Revenue Code section 152, and legal guardians of pre-school and school-aged children. This policy applies to grandparents who meet the requirements of this section.
- c. A SF-71, Request for Leave or Approved Absence, must be submitted to the supervisor in advance to request an approved absence.

- d. Employees may be asked to provide evidence (e.g., a note from the school) that they are attending a parent/teacher or school counselor conference.

17. Preventive Health Screenings

- a. Each calendar year employees may be granted up to four hours without charge to leave for participation in preventive health screening activities outside the work site.
- b. Preventive health screenings are offered to otherwise healthy individuals to help prevent disease, identify the risks for disease, or detect disease in its early, most treatable stages. Services include immunizations, screenings, exams and health behavior counseling and interventions. Blood pressure screening, cholesterol screening, pap smears, and mammography are some examples of effective screening measures. Health history questionnaires, health risk appraisals, and cardiac risk profiles are other kinds of screening tools used to identify a person's risk for disease. Additional information may be obtained by viewing "A Federal Workplace Guide to Preventive Health Services" published by the Office of Personnel Management and posted on the Internet at <http://www.opm.gov/ehs/health3.htm>.
- c. A Request for Leave or Approved Absence; i.e., SF-71, OPM-71, must be submitted to the supervisor in advance to request an approved absence.
- d. Employees may be asked to provide evidence (e.g., a note from the provider) that they are attending a preventive screening activity outside the work site.

18. Bone Marrow or Organ Donations

- a. Employees may use up to 7 days of paid administrative leave each calendar year to serve as a bone-marrow donor and up to 30 days of paid administrative leave each calendar year to serve as an organ donor.
- b. Adequate medical documentation is required for absences in excess of four consecutive workdays.

VII. GROUP DISMISSALS

- A. The Assistant Secretary for Management is the official responsible for issuing administrative orders to close all or part of the headquarters when employees are prevented from coming to work or relieved from work for such reasons as when:

- a. control of Normal operations of an establishment are interrupted by events beyond the management or employees; or
 - b. For managerial reasons the closing of an establishment or portions thereof is required for short periods of time; or
 - c. It is in the public interest to relieve employees from work to participate in civil activities which the Government is interested in encouraging.
- B. The Head of a regional or field establishment, when delegated authority, may issue administrative orders to close all or a part of the operations for the reasons cited in paragraph VIII, A, above, as well as:
- 1. Closing a field establishment by reasons of the occurrence of a local holiday when:
 - a. Federal work may not be properly performed; or
 - b. The absence is excused, particularly, for short periods.
 - 2. Exercising administrative discretion and requiring employees to take annual leave, particularly, for absences requiring longer periods of time.
- C. The provisions of FPM Supplement 990-2, book 630, S11-6, and book 610, S3 will be followed on all group dismissals.

VIII. GENERAL REQUIREMENT

All leave administration actions covered by this Instruction must be carried out in accordance with applicable statutory, regulatory, policy, procedural, and program requirements including any applicable collective bargaining agreements.

TABLE OF CHANGES

The addition of the following subsection provides for the use of Administrative Leave to attend Parent/Teacher and School Counselor Conferences.

Section VI.B.:

Add new subsection.

16. Parent/Teacher and School Counselor Conferences

- a. An employee may be granted up to two hours per conference, up to a maximum of 12 hours per calendar year, without charge to leave for attendance at parent/teacher and/or school counselor conferences.
- b. This applies to parents, foster parents, or those who claim children as dependents as defined by Internal Revenue Code section 152, and legal guardians of pre-school and school-aged children.
- c. A SF-71, Request for Leave or Approved Absence, must be submitted to the supervisor in advance to request an approved absence.
- d. Employees may be asked to provide evidence (e.g., a note from the school) that they are attending a parent/teacher or school counselor conference.

Bottom of first page: Delete the reference to Distribution and FPM Chapter 630.

TABLE OF CHANGES

The addition of the following subsection provides for the use of Administrative Leave for health screening activities for all employees of the Department.

Section VI.B.:

Add new subsection.

17. Preventive Health Screenings

- a. Each calendar year employees may be granted up to four hours without charge to leave for participation in preventive health screening activities outside the work site.
 - b. Preventive health screenings are offered to otherwise healthy individuals to help prevent disease, identify the risks for disease, or detect disease in its early, most treatable stages. Services include immunizations, screenings, exams and health behavior counseling and interventions. Blood pressure screening, cholesterol screening, pap smears, and mammography are some examples of effective screening measures. Health history questionnaires, health risk appraisals, and cardiac risk profiles are other kinds of screening tools used to identify a person's risk for disease. Additional information may be obtained by viewing "A Federal Workplace Guide to Preventive Health Services" published by the Office of Personnel Management and posted on the Internet at <http://www.opm.gov/ehs/health3.htm>.
 - c. A Request for Leave or Approved Absence; i.e., SF-71, OPM-71, must be submitted to the supervisor in advance to request an approved absence.
 - d. Employees may be asked to provide evidence (e.g., a note from the provider) that they are attending a preventive screening activity outside the work site.
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TABLE OF CHANGES

The addition of the following subsection provides for the use of administrative leave for bone marrow and organ donations.

Section VI.B.:

Add new subsection.

18. Bone Marrow or Organ Donations

- a. Employees may use up to 7 days of paid administrative leave each calendar year to serve as a bone-marrow donor and up to 30 days of paid administrative leave each calendar year to serve as an organ donor.
- b. Adequate medical documentation is required for absences in excess of four consecutive workdays.

TABLE OF CHANGES

Section VI.B.16:

The amount of administrative leave that can be approved for an employee to attend a parent/teacher and/or school counselor conference has been increased from two to three hours. This change has been incorporated in VI.B.16.

The policy has been clarified to state that these provisions apply to grandparents who claim children as dependents under the Internal Revenue Code, or who are legal guardians of pre-school and school-aged children. This change has also been incorporated in VI.B.16.