

U.S. DEPARTMENT OF EDUCATION
PERSONNEL MANUAL INSTRUCTION

PMI 630-4

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APPROVED:

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for Director of Personnel

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SUBJECT: FUNERAL LEAVE

I. AUTHORITY

- A. Section 6326, Title 5, United States Code (U.S.C.), provides the basic statute governing funeral leave.
- B. Federal Personnel Manual (FPM), chapter 630, S8 and FPM Supplement 990-2, book 630, S8 provide the Office of Personnel Management (OPM) guidelines governing the administration of funeral leave.

II. POLICY

- A. It is the policy of the Education Department (ED) that funeral leave shall be granted to an employee whose immediate relative dies as a result of wounds, disease, or injury incurred as a member of the Armed Forces in a combat zone.
- B. Funeral leave will be authorized in accordance with the authorities cited in paragraph I above, and this Instruction.
- C. In all instances, an SF-71 "Application for Leave" must be completed and signed by the employee prior to the leave period or immediately upon the employee's return from unscheduled and/ or emergency leave.

III APPLICABILITY

- A. This Instruction establishes the Education Department's policy and procedures on funeral leave, provides general information to all ED employees, and promotes consistent application of funeral leave throughout the Department.

- 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.

IV. DEFINITIONS

- A. Armed Forces means the Army, Navy, Air Force, Marine Corps, and Coast Guard.
- B. Combat zone means those areas determined by the President in accordance with section 112 of the Internal Revenue Code.
- C. Employee means an employee or individual covered by Title 5, Code of Federal Regulations (CFR) 630.802.
- D. Immediate relative means the following relatives of the deceased member of the armed forces: (1) spouse, and parents thereof; (2) children, including adopted children, and spouses thereof; (3) parents; (4) brothers and sisters, and spouses thereof; and (5) any individual related by blood or affinity whose close association with the deceased was such as to have been the equivalent of a family relationship.
- E. Funeral leave means leave authorized by section 6326 of title 5, United States Code, to allow an employee to make arrangements for, or to attend, the funeral or memorial service for an immediate relative who died as a result of a wound, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone.

V. RESPONSIBILITY

- A. Specific responsibilities for all concerned parties are defined in ED PMI 630-1, paragraph V.
- B. All leave approving officials are responsible for authorizing funeral leave in accordance with the provisions of this Instruction and the FPM. Officials are responsible for consulting with the ED Personnel Office before taking action in any unusual circumstances.

VI. **ADMINISTRATION**

A. **Granting of funeral leave**

1. An employee shall be granted funeral leave as is needed and requested by him/her, not to exceed three workdays, without loss of or reduction in pay, leave to which he/she is otherwise entitled, or credit for time or service, and without adversely affecting his/her performance or efficiency rating.
2. Funeral leave is granted to allow an employee to make arrangements for, or to attend, the funeral or memorial service for an immediate relative who died as the result of a wound, disease, or injury incurred while serving as a member of the armed forces in a combat zone.
3. The three days need not be consecutive but if not, the employee shall furnish the approving leave authority satisfactory reasons justifying a grant of funeral leave for non-consecutive days.
4. Funeral leave may be granted only from a prescribed tour of duty, including regularly scheduled overtime.

B. **Records**

Funeral leave granted under subpart H of 5 U.S.C. 6326 should be recorded on time and attendance reports as time in a pay status and as time absent under "Other", with appropriate explanation (Funeral Leave) under "Remarks".

C. **Restriction**

1. The requirement that funeral leave be granted is limited rather strictly by inclusion of the words "in a combat zone", thus excluding from coverage those deaths of servicemen incurred in line of duty elsewhere in the world. At time of passage of this statute (5 U.S.C. 6326, October 17, 1968) the only current combat zone was Vietnam and its adjacent waters (as outlined in E.O. 11216).
2. The wording of 5 U.S.C. 6326(c), however, still permits the use of administrative discretion, as described in section S11-5 of subchapter S11 of FPM supplement 990-2, in the

granting of administrative leave in those situations not covered by these regulations.

VII. **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.