

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		Number: 4060-630-001
SUBJECT: Creditable Service for Annual Leave Accrual	DATE: August 8, 2007	
	OPI: Office of Human Capital Management	

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1. PURPOSE

The purpose of this directive is to set forth the Department of Agriculture's (USDA) policy on Creditable Service for Annual Leave Accrual.

2. REFERENCES

This directive is issued pursuant to section 202(a) of the Federal Workforce Flexibility Act of 2004, Pub. L. 108-411 (2004) (codified at 5 U.S.C. § 6303(e)), and 5 C.F.R. 630.205.

3. SPECIAL INSTRUCTIONS

This directive replaces Departmental Notice 4060-001, Interim Creditable Service for Annual Leave Accrual, dated March 13, 2006.

4. POLICY

It is USDA's policy to grant an employee receiving his or her first appointment (regardless of tenure) as a civilian employee of the Federal Government or an employee who is reappointed following a break in service of at least 90 calendar days after his or her last period of civilian Federal employment, credit for prior work experience that otherwise would not be creditable for the purpose of determining his or her annual leave accrual rate, if:

- a. The employee's skills and experience are essential to the new position and were acquired in a prior position having duties that directly relate to the duties of the position to which the employee is being appointed;
- b. The employee is appointed to a position that is covered by the Federal annual and sick leave program established un 5 United States Code, Chapter 63; and
- c. The Agency or Staff Office Head, or designee, determines, in writing, that crediting service to provide a higher annual leave accrual rate is necessary to recruit an individual with the skills and experience necessary to achieve an important agency mission or performance goal.

5. AUTHORITY

The authority to make creditable service for annual leave accrual rate determinations is hereby delegated to Agency and Staff Office Heads. Agency Heads and Staff Office Heads may re-delegate this authority.

6. DEFINITIONS

- a. Agency. An organizational unit of the Department, other than a Staff Office as defined below, whose head reports to an Under Secretary.
- b. Agency Head. The head of a USDA agency or an official who has been delegated the authority to act for the head of the agency in the matter concerned.
- c. Employee. For purposes of determining creditable service for annual leave accrual, an employee receiving his or her first appointment (regardless of tenure) as a civilian employee of the Federal Government or an employee who is reappointed following a break in service of at least 90 calendar days after his or her last period of civilian Federal employment.

- d. Staff Office. A Departmental administrative office whose head reports to the Secretary.
- e. Staff Office Head. The head of a staff office or an official who has been delegated the authority to act for the head of the staff office in the matter concerned.
- f. Uniformed Service. The Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.

7. RESPONSIBILITIES

- a. The Director, Office of Human Capital Management (OHCM) is responsible for:
 - (1) Establishing USDA's creditable service for annual leave policy and providing technical assistance and advice on issues that arise;
 - (2) Monitoring agency and staff office compliance with Departmental policy; and
 - (3) Reporting to the Office of Personnel Management, as required.
- b. Agency and Staff Office Heads are responsible for:
 - (1) Issuing agency- or staff-level policy and procedures that address how creditable service for annual leave accrual determinations will be made in their individual organizations;
 - (2) Ensuring that service credit determinations are granted in accordance with the requirements set forth in this and other governing regulations;
 - (3) Monitoring and assessing the program; and
 - (4) Report to OHCM, as requested.

8. CREDITABLE SKILLS AND/OR EXPERIENCE

An employee may be credited only for prior work experience or active duty uniformed service that is directly related to the position to which he or she is being appointed.

With respect to a retired member of a uniformed service, credit may be granted for any period of active duty service during which he or she performed duties directly related to the position to which he or she is being appointed.

Credit may be granted for the full length of the time the employee performed the directly related duties (e.g. full-time credit for full-time service, part-time credit for part-time service, etc.). Service credit for less than full-time service must be based on the number of hours and the percentage of time the employee actually performed the duties. The amount of service credited may not exceed the actual amount of service during which the employee performed duties that are directly related to the position to which the employee is being appointed.

In no case should an employee be granted double credit for service that is otherwise creditable under existing leave regulations.

9. SERVICE CREDIT DOCUMENTATION

The employee must provide acceptable written documentation of his or her prior work experience. The documentation must sufficiently describe both the duties the employee performed as well as the time period of performance. Agencies and Staff Offices are required to document all service credit calculations, in writing, and include appropriate backup documentation sufficient for audit purposes. Backup documentation may include the following:

- a. Position or Military Occupational Specialty Descriptions;
- b. Letters from supervisors indicating duties and time periods the employee performed the duties;
- c. Resumes;
- d. Employment Records; and
- e. Other documentation that the Agency or Staff Office deems sufficient to verify the creditable service.

Prior service or active duty uniformed service must be documented on the Standard Form (SF)-144A, Statement of Prior Federal Service – Worksheet, or an agency equivalent form used in lieu of the SF-144A. Credit is to be granted in

terms of years and months, and the exact number of years and months of credit being granted must be recorded in Part I, Column B, of the SF-144A. A reference in the "Remarks" section of the SF-144A must indicate that the Service Computation Date-Leave (SCD-Leave) includes creditable non-Federal service or active duty uniformed service work experience that otherwise would not be credited.

The Agency or Staff Office Head, or designee, must approve all written documentation and make determinations on the granting of service credit prior to the effective date of the employee's entry on duty.

The SF-144A, or equivalent, and the supporting documents should be filed on the right side of the Official Personnel Folder. They should be filed directly behind the SF-50, Notification of Personnel Action, that gave rise to the granting of the service credit. For example, the SF-144A for the initial appointment should be filed directly behind the SF-50, Notification of Personnel Action, documenting that appointment.

10. DURATION OF CREDIT FOR SERVICE

Credit granted to an employee for prior work experience or active duty uniformed service remains to the credit of the employee unless he or she fails to complete 1 full year (52 calendar weeks) of continuous service with USDA. If an employee separates from Federal service or transfers to another Federal Department prior to completing 1 full year of continuous service with USDA, the employee is not entitled to retain service credit for prior non-Federal service or active duty uniformed service. The USDA agency that is losing the employee must subtract the additional service credit from the employee's total creditable service, and a new service computation date for leave must be established before the employee separates or transfers to the new Department. The SF-50 documenting the change in service credit must be coded with remark code B75 that states "Changes SCD-Leave from (date) because employee failed to complete 1 full year of continuous service with the appointing agency".

Once an employee completes 1 full year of continuous service with USDA, the period of service for which he or she was granted service credit is permanently creditable for the purpose of determining his or her annual leave accrual rate for the duration of the employee's career.

If an employee is placed in a leave without pay status during the 1-year period of continuous service required by this section, the 1-year period of continuous service must be extended by the amount of time the employee is in a leave without pay status unless:

- a. The employee separates or is placed in a leave without pay status to perform service in the uniformed services (as defined in 38 U.S.C. 4303 and 5 CFR 353.102) and later returns to civilian service in USDA through the exercise of a reemployment right provided by law, Executive order, or regulation; or
- b. The employee separates or is placed in a leave without pay status because of an on-the-job injury with entitlement to injury compensation under 5 U.S.C. Chapter 81 and later recovers sufficiently to return to work.

11. DISPOSITION OF ACCRUED LEAVE UPON SEPARATION OR TRANSFER

Annual leave accrued by an employee remains to the credit of the employee, even if he or she fails to complete 1 full year of continuous service with USDA. The USDA agency must transfer the annual leave balance to the new employing Department if the employee is transferring to a position to which annual leave may be transferred, or provide a lump-sum payment for unused annual leave if the employee is separating from Federal service or moving to a new position to which annual leave cannot be transferred. The service computation date should be adjusted in accordance with Section 11 of this regulation, as necessary.

12. NONDISCRIMINATION

Determinations for granting credit for prior work experience will be made in accordance with the Department's civil rights anti-discrimination policy that states in part:

The USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and, where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. USDA is an equal employment opportunity provider and employer.

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