

ARS □ CSREES □ ERS □ NASS

Bulletin

Title: ***Sick Leave Regulatory Changes***

Number: **06-402.6**

Date: **10/01/2006** ***Expiration:*** **10/01/2007**

Originating Office: **Human Capital Planning and Development
Branch, HRD, AFM/ARS**

Distribution: **REE Offices in Headquarters, Area, and Field
Locations**

This bulletin is issued to update rules pertaining to the use of family sick leave and to establish a time limit on furnishing sick leave documentation. The information contained in this bulletin will be incorporated into P&P 402.6 “Leave” at a later date.

This Bulletin changes certain provisions found in P&P 402.6, Section 4 “Sick Leave” concerning Sick Leave for Family Care, Bereavement; and establishes government-wide requirements on providing medical documentation to support the use of sick leave.

Sick Leave for Family Care and Bereavement

Currently, once 40 hours of sick leave is used by an employee during a leave year for family purposes, an employee must maintain 80 hours of sick leave in his or her sick leave account to be entitled to use up to 104 hours of sick leave for general family care or bereavement purposes and up to 480 hours of sick leave to care for a family member with a serious health condition. **As of October 1, 2006, (Pay Period 20) employees will no longer need to maintain an 80 hour sick leave balance to use family sick leave.**

In addition, the amount of sick leave that can be advanced for family care purposes has changed. Currently the most an employee can be advanced is a portion of or the entire first 40 hours used in a leave year. As of October 1, 2006, employees may be advanced, subject to agency policy and supervisory discretion, up to 240 hours of sick leave to care for a family member with a serious medical condition or for purposes related to the adoption of a child. 240 hours is the maximum amount of advanced sick leave an employee may have to his or her credit at any one time. For a part-time employee the maximum amount of sick leave an agency may advance must be prorated according to the number of hours in the employee’s regularly scheduled administrative workweek. Advancement of leave is not an employee entitlement and supervisors should discuss other options with the employee such as flexible work schedules and the leave transfer program. General guidelines on advancing sick leave can be found in P&P 402.6 “Leave”.

Medical Documentation

A Government-wide policy has also been established on a time limit for the receipt of medical documentation supporting an employee’s need for sick leave. As of October 1, 2006, an employee is required to provide medical documentation of sick leave no later than 15 calendar days after the date his or her agency requests such documentation. Since any sick leave of over 3 consecutive workdays requires medical documentation as stated in P&P 402.6, the implied management request date for documentation is the day the employee returns to work. This would also apply where management is requiring in individual cases that documentation is necessary for an employee’s absence of 3 days or less. If it is not practicable to provide the requested documentation in the 15 days requested, despite the employee’s diligent good faith efforts, the employee must provide such certification within a reasonable period of time, but no later than 30 calendar days from the agency’s initial request. An employee who does not provide the required evidence or medical certification within the specified time period is not entitled to sick leave.

Karen M. Brownell
Director, Human Resources Division

