

VA Financial Policies and Procedures  
Payroll: Hours of Duty and Leave

CHAPTER 5

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## 0501 OVERVIEW

This chapter establishes the Department of Veterans Affairs (VA) financial policies and procedures relating to employee hours of duty and leave benefits as they relate to payroll activities. The type, amount, and nature of these benefits are dependent on the type and length of employment, military status, and other eligibility requirements. Hours of duty and leave benefits for VA employees are prescribed in Title 5 and Title 38 of the United States Code (U.S.C.), Title 5 of the Code of Federal Regulations (C.F.R.), and in regulations issued by the Office of Personnel Management (OPM)<sup>1</sup>.

OPM provides Federal leadership on hours of duty and leave policies and programs by developing and maintaining Government-wide regulations and policies on the administration of hours of duty and leave. Each Federal agency is responsible for administering hours of duty and leave policies and programs for its own employees, subject to the rules set by OPM.

Appendix A provides links to VA's Office of Human Resources Management (OHRM) Web sites and OPM Facts Sheets relating to the various types of Federal leave programs that are available to VA employees. VA's hours of duty and leave programs are administered by OHRM<sup>2</sup>, and payroll policies and procedures are developed by VA's Office of Financial Policy (OFP). These payroll policies and procedures are carried out by local Payroll staff, working in cooperation with local Human Resources (HR) offices, VA's Payroll Provider, and the VA Financial Services Center in Austin, TX.

## 0502 POLICIES

### 050201 HOURS OF DUTY.

050201.01 GENERAL REQUIREMENTS FOR HOURS OF DUTY. Local HR offices will maintain accurate information on the type of appointment and the hours of duty that are applicable to each employee.

### 050201.02 TYPES OF HOURS OF DUTY.

#### A. Work Schedules.

1. Regular Work Schedules. VA will follow established OPM and Agency guidance for the establishment of regular work schedules. Generally, the basic 40-hour workweek is scheduled for five consecutive days, Monday through Friday, when possible. Regular working hours means the days and hours of an employee's regularly scheduled administrative workweek established under 5 C.F.R. Part 610. Refer to Appendix B-1 for additional information on Title 5 work schedules and Appendix B-2 for additional information on Title 38 work schedules.

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<sup>1</sup> For an index of laws, regulations, and other references related to pay and leave administration, refer to <http://www.opm.gov/oca/>

<sup>2</sup> HR guidance for pay is contained in VA Handbook 5007 and leave is contained in VA Handbook 5011.

2. **Alternative Work Schedules.** VA will follow established OPM and Agency guidance in recording time and attendance for employees covered under alternative work schedules, including flexible work schedules, compressed work schedules and special cases covered for Title 38 employees. Refer to Appendix B-1 for additional information on Title 5 alternative work schedules and Appendix B-2 for additional information on Title 38 alternative work schedules.

When the official who is responsible for work scheduling knows in advance of an administrative workweek in which the specific days and/or hours of a day actually required of an employee in that administrative workweek will differ from those required in the current administrative workweek, that official will reschedule the employee's regularly scheduled administrative workweek to correspond with those specific days and hours. The responsible official will inform the employee of the change, and the timekeeper will record the change on the employee's time card or other agency document for recording work. (These actions are required whether the employee is covered under Title 5 or Title 38.)

**B. Compensatory Time.** VA may provide eligible employees compensatory time off, in lieu of payment for irregular or occasional overtime. Refer to Appendix B-3 for more information on compensatory time for hours of work.

**C. Compensatory Time for Religious Reasons.** VA may permit, when practicable, absence from work for those employees who desire to observe religious holidays. Employees may elect to work compensatory overtime for the purpose of taking time off without charge to leave when their personal religious beliefs require that they abstain from work during certain periods of the workday or workweek, thereby avoiding an annual leave or leave without pay charge. Refer to Appendix B-3 for more information on compensatory time for religious reasons.

**D. Compensatory Time for Travel.** Eligible VA employees may earn compensatory time off for travel for time spent in a travel status away from the employee's official duty station when the travel time is not otherwise compensable as hours of work. Refer to Appendix B-4 for more information on compensatory time for travel.

**E. Credit Hours.** VA may allow an eligible employee to earn and use credit hours as part of a flexible schedule that he/she elects to work in excess of the basic work requirement so as to vary the length of a workday or workweek. Refer to Appendix B-5 for more information on credit hours.

**F. Holiday.** VA will excuse eligible employees, to the extent possible, for observance of the Federal holidays and other non-workdays designated by Federal Statute under 5 U.S.C. 6103 or Executive Order. Part-time employees must have a tour of duty scheduled on the official holiday to receive holiday leave. Refer to Appendix B-6 for more information on holidays.

G. Telework. VA will adhere to the requirements for approving alternative workplace arrangements (i.e., telework), as prescribed in VA Handbook 5011. Telework refers to work being accomplished at an alternative worksite other than the traditional office setting. Such worksites may include work-at-home, community-based telecenters and/or satellite centers, and virtual employment arrangements. Refer to Appendix B-7 for additional information on telework arrangements.

H. Other Hours. Refer to VA Handbook 5011 for guidance on other additional hours worked by VA employees, including those hours worked for overtime and intermittent employees.

#### 050201.03 PAYROLL PROCESSING.

##### A. TIMECARD PROCESSING RESPONSIBILITIES FOR HOURS OF DUTY

1. Employees. Employees are responsible for meeting their basic work requirements. For more detailed information on employee responsibilities in relation to basic work requirements, refer to VA Handbook 5011.

2. Timekeepers. VA designated timekeepers will post appropriate hours for employees in their assigned Time and Leave (TL) units in VA's Time and Attendance (TA) System. Timekeepers are responsible for the preparation, maintenance and timely submission of time and attendance reports for each employee whose record has been assigned to their jurisdiction. Generally, timekeepers will not be permitted to maintain their own time and attendance records, except in those instances where it has been determined that this is an impractical requirement due to such factors as a lack of clerical personnel or the leave status of the unit timekeeper or alternate timekeeper. Timekeepers must have personal knowledge when each employee is on duty or on leave, rely upon properly certified subsidiary records, and/or supervisor direction. Timekeepers will ensure time is posted correctly prior to the payroll deadline for timecard certification as stated in Volume XV, Chapter 1, *Payroll: Overview*.

3. Supervisors. Supervisors will document employee hours of duty and will approve leave requests either through VA's TA system directly or in writing. Supervisors will ensure timekeepers assigned to their TL units are informed of each employee's hours of duty, leave requests, and other unwritten requests, i.e., unscheduled leave. Supervisors will also ensure that timecards for employees under their supervision reflect the correct hours of duty, time worked, and leave postings prior to their certification of each employee's timecard in VA's TA system by the payroll deadline, as stated in Volume XV, Chapter 1, *Payroll: Overview*.

4. Local Payroll. VA local payroll will ensure time and attendance records for employees are certified and transmitted by the payroll processing deadline. After transmission, VA local payroll will ensure time and attendance records are accurate in VA's Payroll Provider's Defense and Civilian Pay System (DCPS) based on the time and attendance entries in VA's TA system and available reports. Upon receipt of an

approved TA prior pay period correction, VA local payroll will adjust the time and attendance posting in DCPS accordingly. VA local payroll will notify VA's Payroll Provider of any inaccuracies that local payroll is unable to correct. Refer to Volume XV, Chapter 1, *Payroll: Overview*, for more information on local payroll duties related to other aspects of payroll processing.

5. Payroll Provider. VA's Payroll Provider will process time and attendance usage based on timecard entries and/or Remedy Ticket requests entered by VA local payroll staff; leave balances will be adjusted accordingly. Leave and earnings statements (LES) will reflect the time worked and leave used during that pay period.

#### 050202 LEAVE.

050202.01 GENERAL REQUIREMENTS FOR LEAVE. Local HR offices will maintain accurate information on the type of appointment and leave accrual rate to which the employee is entitled. VA's Payroll Provider's system will accrue leave earned for each type of leave based upon the leave accrual rate effective at that time and will adjust for leave taken based upon timecard entries. The minimum charge for leave is one quarter hour for all employees with the exception of full time Title 38 physicians and dentists who have a minimum charge of one day for leave taken.

050202.02 TYPES OF LEAVE. The following paragraphs refer to categories of leave; more detailed procedures can be found in the appendices to this chapter.

A. Annual Leave. VA will allow an employee to use accrued annual leave for vacation, rest and relaxation, personal business, and emergencies. VA will follow accrual schedules and limit annual leave accumulations. At the discretion of the Agency, annual leave may be advanced to an employee who has submitted a request. Annual leave may be advanced only in an amount that can be earned by the end of the leave year in which it is granted. When an employee is serving under an appointment which will expire before the end of the leave year, annual leave may be advanced up to the amount the employee would otherwise earn during the term of the appointment. The employee will be indebted for any advanced leave balance in effect at the time of separation. Refer to Appendix C-1 for more information on annual leave.

B. Authorized Absences. In accordance with VA Handbook 5011, the appropriate VA official, including facility director, may grant authorized absence to an employee without charge to annual leave. An employee may be given authorized absence without charge to leave when:

- The activity is considered to be of substantial benefit to VA in accomplishing its general mission or one of its specific functions;
- The activity will clearly enhance an employee's ability to perform the duties of the position presently occupied or may be expected to prospectively occupy; or

- The basis for excusing the employee is fairly consistent with prevailing practices of other Federal establishments in the area concerning the same or similar activities.

Refer to Appendix C-2 for more information on authorized absences.

C. Family and Medical Leave Act (FMLA). VA will provide eligible employees with a total of up to 12 workweeks of unpaid leave during any 12-month period for purposes covered under the Family and Medical Leave Act. Refer to Appendix C-3 for more information on FMLA.

D. Leave Without Pay (LWOP). VA employees may request LWOP for a temporary non-pay status, absence from duty, or military absence from duty. VA supervisors have authority to grant or deny an employee's request for LWOP based upon Agency internal policy. However, VA supervisors must grant LWOP if the employee requests LWOP during military absence or during a period in which the employee has filed a claim with the Office of Workers' Compensation Programs (OWCP). Employees are not required to use their accrued leave to be granted absence for LWOP. Refer to Appendix C-4 for more information on LWOP.

E. Military Leave. VA will provide time off for eligible employees who are members of the Reserve components of the Armed Forces or National Guard. To the extent authorized by law, military leave shall be granted for active and inactive duty training when appropriate documentation pertaining to these activities is presented to the leave-approving official. An employee may be charged military leave only for hours that the employee would otherwise have worked and received pay. Refer to Appendix C-5 for more information on military leave.

F. Office of Workers' Compensation Programs (OWCP). VA employees are entitled to medical care and compensation for absences due to traumatic on-the-job injuries and disease sustained while in the performance of duty. The Federal Employees' Compensation Act (FECA) administered by the OWCP, U.S. Department of Labor (DOL), provides workers' compensation benefits and authorized medical care for all civilian employees of the United States for disability due to personal injury sustained while in the performance of duty. Refer to Appendix C-6 for more information on the OWCP.

G. Sick Leave. VA will allow an employee to use accrued sick leave for medical needs for self or care of a family member (including for adoption purposes). VA will follow the applicable accrual schedule and ensure that time is recorded as care or bereavement, adoption, or other sick leave. At the discretion of the Agency, sick leave may be advanced to an employee with a medical emergency for purposes related to the adoption of a child, for family care or bereavement purposes, or to care for a family member with a serious health condition. The employee will be indebted for any advanced leave balance in effect at the time of separation. Refer to Appendix C-7 for more information on sick leave.

H. Voluntary Leave Transfer Program. Under this program, the unused accrued annual leave of a VA employee, or an employee of another Federal agency, may be transferred for use by a VA or other Federal employee who needs the leave because of a medical emergency. Refer to Appendix C-8 for more information on the leave transfer program.

I. Other Paid Leave. VA employees will be allowed leave for other reasons, including bone-marrow or organ donation and home leave. In these cases, VA will charge leave specific to that absence code and not to annual leave, unless requested by the employee. VA will require documentation prior to charging these types of leave. Refer to Appendix C-9 for more information on other paid leave.

NOTE. For information relating to Time Off Awards, refer to Volume XV, Chapter 3, *Payroll: Awards and Allowances*.

#### 050202.03 PAYROLL PROCESSING.

##### A. TIMECARD PROCESSING RESPONSIBILITIES FOR LEAVE.

1. Employees. VA employees must submit a leave request, either through VA's TA system, or a written request such as OPM Form 71, for most types of leave. For more detailed information on employee responsibilities in relation to leave, refer to VA Handbook 5011.
2. Timekeepers. Timekeepers will post the appropriate tour of duty, hours worked, and leave for employees in their assigned TL units in VA's TA System. This data entry will be based upon the employee's leave request, other written documentation, and/or direction from the employee's supervisor. Timekeepers will ensure leave is posted correctly in time to allow for supervisor review and timecard certification prior to the payroll deadline as stated in Volume XV, Chapter 1, *Payroll: Overview*. Employee leave balances will be reduced during payroll processing based on the number of hours or days leave is posted on the official VA timecard.
3. Supervisors. Supervisors will review each employee's tour of duty and will approve leave requests either through VA's TA system or in written form. Documentation for leave will show the dates, times, and types of leave taken. Supervisors will ensure timekeepers assigned to their TL units are informed of the employee's tour of duty, approved leave requests and other unwritten requests, i.e., unscheduled leave. Supervisors will also ensure that timecards for employees under their supervision reflect the correct tour of duty worked, time worked and leave used prior to their certification of the timecard in VA's TA system by the payroll deadline, as stated in Volume XV, Chapter 1, *Payroll: Overview*.
4. Local Payroll. VA local Payroll staff will adjust leave postings in DCPS when prior pay period corrections are entered and approved in VA's TA System, and when pay period adjustments are needed for current payroll processing. If local Payroll either determines or is notified by employees of any discrepancies in official leave records,



local Payroll will advise VA's Payroll Provider of such inaccuracies through a Remedy Ticket so that corrections can be made.

NOTE. Any documentation not recorded in VA's TA system must be maintained on file for 6 years by the local facility falling under the responsibility of the timekeeper, supervisor, and/or local payroll. OPM Form 71 will only be retained for 3 years.

5. Payroll Provider. VA's Payroll Provider will maintain VA employee leave records in its system. The Payroll Provider will process leave accruals and usage based on timecard entries and/or Remedy Ticket requests entered by VA local Payroll staff; leave balances will be adjusted accordingly. Leave and earnings statements (LES) will reflect the current leave balances for that pay period. The Payroll Provider will calculate and issue payment for lump sum annual leave. More information on lump sum leave payments can be found in Volume XV, Chapter 6, *Payroll: Payments*.

## B. TRANSFER AND SEPARATION PROCESSING FOR LEAVE.

1. VA's Payroll Provider will prepare an SF 1150, *Record of Leave Data*, at the time of separation or when an employee transfers to another Federal agency. VA's Payroll Provider will send a hard copy SF 1150 to the losing station; if local Payroll should receive the SF 1150, the form must be forwarded to HR to be placed in the employee's electronic official personnel folder (e-OPF). If an employee has not completed at least one full pay period of service at VA, an SF 1150 is not required unless the employee has leave credit on the basis of prior Federal service. Generally, the SF 1150 is not needed for transfers between VA stations. Detailed information on the SF 1150 can be found in Appendix C-10.

2. Local Payroll staff will audit the employee time and attendance records and related documentation to ensure the employee's leave balances are correct at the time of separation or transfer. If any inaccuracies are found and an adjustment is needed, VA local Payroll will submit a Remedy Ticket to VA's Payroll Provider with appropriate documentation supporting findings. VA's Payroll Provider will adjust the leave balances accordingly and, if needed, will print a revised SF 1150 for employees who separated or transferred to another Federal agency.

a. If the necessary adjustment pertains to a time and attendance discrepancy for a pay period occurring prior to the employee's conversion to the Payroll Provider, the local Payroll staff will submit a Remedy Ticket which will include a statement that this is a pre-conversion action, the reason for the action (i.e., timecard correction, audit), and a statement that clearly identifies what the leave balance(s) should have been at the time of conversion.

b. If the necessary adjustment pertains to a time and attendance discrepancy for a pay period occurring after the employee's conversion to the Payroll Provider, the local Payroll staff must enter any leave adjustments into VA's Payroll Provider system to correct the leave for a specific date and pay period if the adjustment is within 26 pay

periods. If an adjustment is required for a period of time prior to 26 pay periods, then local Payroll must submit a Remedy Ticket with appropriate documentation and indicate that this change cannot be made by local payroll due to the 26 pay period history limitation.

More information regarding VA station conversion dates to the VA Payroll Provider can be found in Volume XV, Chapter 1, *Payroll: Overview*.

3. VA will pay employees a lump sum amount due for eligible, unused annual leave upon separation as outlined in Volume XV, Chapter 6, *Payroll: Payments*. VA's Payroll Provider will process the lump sum payment upon separation based on coding entered by local VA HR offices and will report these amounts on the employee's LES. Employees will not be paid if they are transferring to another Federal position. For additional information on lump sum payments, refer to VA Handbook 5011.

4. During a pay period in which an employee's service is interrupted by separation in the middle of a pay period, the employee will earn leave on a pro rata basis, as outlined in 5 C.F.R. 630.204.

5. When an employee who is indebted for advanced leave separates from VA, the employee will be responsible for repayment of any unliquidated advanced leave balance. If the employee transfers within VA, the negative leave balance will carry forward to the gaining station. If the employee separates or transfers to another Federal agency, VA's Payroll Provider will create a debt for collection for the negative leave balance. Collection by any Government agency for a debt requires due process in accordance with VA debt collection standards. More information can be found in Volume XII, Chapter 1, *VA Debt Collection Standards*, and Volume XII, Chapter 4, *Employee Debts*.

NOTE. Collection for unliquidated advanced leave does not apply in cases of death, retirement for disability, disability supported by an acceptable medical certificate, or entering on active duty in the military service, when such entry is without a break in service from the civilian position.

6. Under 5 U.S.C. Section 6308, the annual and sick leave to the credit of an employee who transfers between positions under different leave systems without a break in service shall be transferred to his credit in the employing agency on an adjusted basis under regulations prescribed by OPM. The aggregate amount of such leave, not in excess of the maximum limitation allowable under the leave system from which transferred, shall constitute the employee's annual leave ceiling and shall remain to his/her credit until reduced under the condition prescribed in section 208(a) of the Annual and Sick Leave Act of 1951, 65 Stat. 682. (See 48 Comp. Gen. 212.)

050203 FINANCIAL ACCOUNTING AND REPORTING<sup>3</sup>

050203.01 FINANCIAL ACCOUNTING.

A. Annual Leave, Compensatory Time, and Credit Hours. VA will recognize the expense and related liability for annual leave as it accrues and will record amounts at the salary/wage rates at which the leave is earned. VA will adjust the liabilities for annual leave and certain other types of leave (e.g., home leave, compensatory time and credit hours) at least annually to reflect all pay increases, unused leave balances, and statutory limitations to leave amounts, and to reflect employees in the VA system who transfer in or out during the year. VA will reduce the accrued liability amount annually for actual leave taken.

B. VA will expense sick leave and other paid leave as it is taken for absences due to illness or other contingencies. A liability for these types of leave will not be accrued by VA because payment is not made for these types of unused leave.

050203.02 FINANCIAL STATEMENT REPORTING. VA will report the liability for the accrued cost of annual leave as a public funded or unfunded liability and will be included under Other Liabilities on VA's Consolidated Balance Sheet.

**0503 AUTHORITY AND REFERENCES**

**A. GENERAL GUIDANCE**

050301 5 U.S.C. Part III, Chapter 55, Pay Administration

050302 5 C.F.R. Part 550, Pay Administration

050303 VA Handbook 5007, Pay Administration

050304 VA Handbook 5011, Hours of Duty and Leave

**B. HOURS OF DUTY**

050306 5 U.S.C. Part III, Chapter 61, Hours of Work

050307 5 C.F.R. Part 610, Hours of Duty

**C. LEAVE**

050308 5 U.S.C. Part III, Chapter 63, Leave

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<sup>3</sup> Refer to Volume VI, Chapter 10, *Other Liabilities*, Paragraph 100503, for more information on accounting and reporting for annual leave.

050309 5 U.S.C. 6323, Military Leave Reserves and National Guardsmen

050310 5 U.S.C. Part III, Chapter 81, Compensation for Work Injuries

050311 29 U.S.C. Chapter 8, Fair Labor Standards

050312 38 U.S.C. Chapter 43, Employment and Reemployment Rights of Members of the Uniformed Services

050313 38 U.S.C. Chapter 74, Veterans Health Administration – Personnel

050314 5 C.F.R. Part 351, Reduction in Force

050315 5 C.F.R. Part 630, Absence and Leave

050316 OPM Memorandum October 13, 2004 (Butterbaugh vs. Department of Justice)

050317 U.S. Government Accountability Office, Accounting Principles, Standards, and Requirements - Title 2 Standards Not Superseded by FASAB Issuances

050318 Statement of Federal Financial Accounting Standards Number 7, Accounting for Revenue and Other Financing Sources and Concepts for Reconciling Budgetary and Financial Accounting

050319 Implementation Guide to Statement of Financing in Statement of Federal Financial Accounting Standards 7, *Accounting for Revenue and Other Financing Sources*: Detailed Information on the Statement of Financing

#### **0504 ROLES AND RESPONSIBILITIES**

050401 The Secretary or Deputy Secretary will ensure that effective and efficient financial policies and systems for payroll administration are established.

050402 The Assistant Secretary for Management/Chief Financial Officer (CFO) oversees all financial management activities relating to the Department's programs and operations, as required by the Chief Financial Officers Act of 1990 and 38 U.S.C. 309. Responsibilities include the direction, management and provision of policy guidance and oversight of VA's financial management personnel, activities and operations. The CFO establishes financial policy, systems and operating procedures for all VA financial entities and provides guidance on all aspects of financial management.

050403 Under Secretaries, Assistant Secretaries, Chief Financial Officers, Fiscal Officers, Chiefs of Finance Activities, Chief Accountants and other key officials are responsible for ensuring compliance with the financial policies and procedures set forth in this chapter. The appropriate VA key officials, working through the Chief Financial Officers, will provide and/or arrange for training for Fiscal/Finance Office employees and

timekeepers in policy and procedures relating to automated and manual systems for employee pay, leave, allowances, and deductions.

050404 The Assistant Secretary for Human Resources and Administration will (through the Deputy Assistant Secretary for Human Resources Management) advise Under Secretaries, Assistant Secretaries, Other Key Officials, and field stations managers and supervisors of legal and policy requirements and authorities relating to employee pay, leave, allowances, and deductions, excluding taxes.

050405 Chief Financial Officers will ensure that appropriate levels of training and advisory services are provided to ensure VA policy and procedures relating to payroll administration are carried out as effectively and efficiently as possible.

050406 The Employees Accounts Section is commonly referred to as Local Payroll. A brief summary of responsibilities for this section includes: ensuring facility training and support is provided to timekeepers and supervisors for time and attendance (TA) reporting, ensuring bi-weekly TA data and daily master record update transactions are transmitted timely, and ensuring employees receive appropriate pay and leave entitlements. Specific responsibilities for the Employee Accounts Section are extensive and are outlined in Volume XV, Chapter 1, *Payroll: Overview*.

050407 The Director, Austin Information Technology Center (AITC), or designee specified in writing by name and position, will ensure submission of VA timecard data to VA's Payroll Provider, creation of payroll reports, and storage of payroll data/reports. Required accounting/payroll processing documents (e.g., for retirement corrections) will be prepared, as needed, in accordance with applicable laws, regulations, and VA or Treasury Department policy.

050408 The Director, Financial Services Center (FSC), or designee specified in writing by name and position, will ensure that payroll activity is generated and processed as needed, to include Tier 1 payroll support services. Required accounting/payroll processing documents will be prepared, as needed, in accordance with applicable laws, regulations, and VA or Treasury Department policy.

050409 The Defense Finance and Accounting Service (DFAS), one of four e-Payroll service providers, is VA's designated payroll service provider. DFAS processes payroll and makes all employee deductions and disbursements, generates leave and earnings statement file and W-2s (Wage and Tax Statement), charges VA appropriations and cost centers and reports all payroll-related financial information to the Treasury on the behalf of VA.

050410 Facility Directors will ensure appropriate local controls, policies, and procedures are established and followed to ensure compliance with all laws, regulations, and policy covering payroll and related human resources issues.

050411 Chiefs, Human Resources Management Service will provide appropriate levels of advice and assistance to employees, beneficiaries, supervisors, and Fiscal/Finance employees regarding laws, regulations, and policy covering human resources issues, including interpretation of rules relating to hours of duty, pay, leave, and authorization of deductions from pay. They will also ensure human resources data is accurately and timely entered into automated human resources systems which integrate with payroll systems.

050412 Facility Agent Cashiers will follow established VA policy and procedures for payroll-related collections not made through payroll deduction. Facility Agent Cashiers will receive and distribute employee salary checks as directed by payroll, and will follow established VA policy and procedures for returning any unclaimed salary checks.

050413 Service/Division Chiefs will designate an adequate number of unit timekeepers and alternates by memorandum to the Fiscal/Finance Officer indicating names (position is not sufficient for this purpose), status (timekeeper or alternate or removal from timekeeper function), and effective date.

050414 Supervisors and other leave-approving officials, as authorized in VA Directive 5011, section 3 f, and VA Handbook 5011, Part III, Chapter 1, section 2 b, are accountable for the work time and absence of employees for whom they are responsible, including leave approval and certification of attendance through appropriate time and attendance collection procedures or automated systems.

050415 Timekeepers will prepare and maintain time and attendance reports for each affected employee whose record has been assigned to their jurisdiction. Timekeepers remain under the administrative supervision of the supervisor of their own organizational element while performing the "additional duties" relating to preparation and maintenance of time and attendance reports. However, timekeepers are under the technical supervision of the Employee Accounts Section with regard to time and attendance reporting requirements affecting employee leave and pay entitlements. Additional responsibilities for timekeepers are outlined in the Payroll Policy Volume XV, Chapter 1, *Payroll: Overview*.

## **0505 PROCEDURES**

050501 VA will ensure that accurate information is maintained on the type of appointment for each employee and the hours of duty and leave to which the employee is scheduled or entitled under provisions of Title 5 and Title 38. VA will further ensure that electronic signature codes are used to approve (or disapprove) leave, compensatory time, and overtime requests, and changes to the timecard, i.e., tour of duty. Electronic signature codes will also be used to approve and certify timecards. These signature codes must not be shared with anyone other than the designated user.

**A. Employees.**

VA employees are responsible for observing leave and excused absence policies and regulations, as stated in VA Handbook 5011, Part III, Chapter 1, Paragraph 2c. VA employees will submit leave requests as described in VA Handbook 5011, Part III, Chapter 2, paragraphs 3a and 4b. Any written documentation submitted by employees requesting leave must be retained for 6 years.

**B. Timekeepers.**

1. VA timekeepers will ensure the employee's tour of duty is established in VA's TA system prior to the start of each pay period. VA timekeepers will record attendance information on a daily basis; however, advanced posting will be necessary at the end of the pay period in order to meet timecard transmission deadlines.

2. VA timekeepers will properly review employees' time and attendance report data in the VA TA System, including all posted information and schedules, tour of duty fields, leave balances, leave requests, overtime and compensatory time requests, prior to timecard submission each pay period. VA timekeepers will also resolve employee TA issues by submitting corrected timecards for prior pay periods to adjust time worked or leave used.

3. VA timekeepers may refer to VA's Time and Attendance System User Manual for specific guidance and instruction for timecard processing (refer to 050305 above).

**C. Local Payroll.**

1. Local Payroll will ensure all timecards are certified and transmitted by the payroll deadline as stated in Volume XV, Chapter 1, *Payroll: Overview*. Payroll will review all applicable VA and VA Payroll Provider reports to resolve issues with timecard rejections or leave issues.

2. Local Payroll will ensure any corrected timecards are approved prior to entering a correction in DCPS.

**D. Supervisors.**

1. VA supervisors may be assigned access to multiple Time and Leave (TL) Units under their direct and/or alternate responsibility. VA supervisors are responsible for ensuring the timekeeper is informed of each employee's work schedule, time worked and leave used.

2. VA supervisors will electronically sign tour changes, leave requests, and overtime/compensatory time requests in VA's TA system. The supervisor can approve, disapprove, cancel or ignore a specific action within the TA system. Each supervisor

must have an electronic signature on file in order to take the above actions on employees' requests.

3. VA supervisors are responsible for verifying each employee's TA record and must certify each timecard prior to the payroll submission deadline. The VA TA system will provide the supervisor with a decomposition screen which shows what types of time are being paid for each employee.

## 050502 ADDITIONAL INFORMATION

The following appendices provide additional information on hours of duty and the types of leave and requirements for payroll processing.

### Appendix A

#### Online Resources

### Appendix B

#### Hours of Duty

Appendix B-1  
Appendix B-2  
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Appendix B-7

Hours of Duty for Title 5 Employees  
Hours of Duty for Title 38 Employees  
Compensatory Time  
Compensatory Time for Travel  
Credit Hours  
Holiday  
Telework

### Appendix C

#### Leave

Appendix C-1  
Appendix C-2  
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Appendix C-9  
Appendix C-10

Annual Leave  
Authorized Absence  
Family and Medical Leave Act  
Leave Without Pay (LWOP)  
Military Leave  
Office of Workers Compensation Program (OWCP)  
Sick Leave  
Voluntary Leave Transfer Program  
Other Paid Leave  
SF 1150, Record of Leave Data

## 0506 DEFINITIONS

050601 Absence Without Official Leave (AWOL). Absence from duty which is not authorized or approved, or for which a leave request has been denied.

050602 Adjustable Work Hours. A program established to accommodate varying VA patient care needs and part-time VA physicians who have VA or non-VA patient care, research, or educational responsibilities that make adherence to the same regularly scheduled tour of duty every pay period difficult. Adjustable tours are appropriate, for example, for part-time physicians at active affiliated facilities with extensive patient care,



research, and educational responsibilities who *frequently* encounter emergencies or other unanticipated obligations that require them to deviate from their scheduled tour of duty. Adjustable work hours provide a means for minimizing this problem.

050603 Alternative Work Schedule. A work schedule that is other than the traditional work schedule (8 hours per day/40 hours per week with fixed starting and quitting times), which consists of either a flexible work schedule or compressed work schedule.

050604 Annual Leave Ceiling. Limit at which any accrued annual leave in excess of this amount allowed by law will be forfeited.

050605 Annual Leave. Time off that an employee can use for vacations, rest and relaxation, and personal business or emergencies. Annual leave accrues based on the employee's type of appointment and years of employment. Annual leave accrual rates may be adjusted based on creditable military service.

050606 Authorized Absence. An administratively approved absence which does not result in a charge to leave of any kind, or in loss of basic salary.

050607 Basic Pay. The rate of pay fixed by law or administrative action for the position held by an employee, including any applicable locality payment, special rate supplement, or similar payment or supplement under other legal authority (e.g., Title 38), before any deductions and exclusive of additional pay of any other kind. It does not include awards, bonuses, overtime pay, military pay, special allowances, holiday pay, or other compensation given in addition to the base pay of a particular position.

050608 Baylor Plan. This plan covers nurses who provide direct patient care services and whose basic workweek consists of two regularly scheduled 12-hour tours of duty entirely within the period beginning at midnight Friday and ending at midnight the following Sunday. The Baylor workweek is considered to be a full 40-hour workweek for pay and leave accrual purposes.

050609 Bi-weekly Pay Period. The pay period covering two administrative workweeks. (An administrative workweek is a period of 7 consecutive calendar days, which coincides with the calendar week, Sunday through Saturday.)

050610 Bone Marrow and Donor Leave. Time off for bone marrow and organ donation which is a separate category of leave that is in addition to annual and sick leave. An employee may use up to 7 days of paid leave each calendar year to serve as a bone-marrow donor. An employee also may use up to 30 days of paid leave each calendar year to serve as an organ donor.

050611 Care and Bereavement. Special category of sick leave for employees to:

- Provide care for a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth;

- Provide care for a family member as a result of medical, dental, or optical examination or treatment; or
- Make arrangements necessitated by the death of a family member or attend the funeral of a family member.

NOTE. A full-time employee may use up to 104 hours (13 workdays) of sick leave each leave year for family care or bereavement purposes. Part-time employees and employees with uncommon tours of duty may take up to the amount of sick leave they would accrue in a leave year. The sick leave is pro-rated in proportion to the average number of hours of work in the employee's scheduled tour of duty.

050612 Compensatory Absences. An employee absence for vacation or illness, for which the employee will be paid. When employees accrue rights to take leave with pay, the Government incurs an expense and liability measured by the salary cost of the time that may be taken.

050613 Compensatory Time. Time off with pay in lieu of overtime pay for irregular or occasional overtime work or, when permitted under agency flexible work schedule programs, time off with pay in lieu of overtime pay for regularly scheduled or irregular or occasional overtime work.

050614 Compensatory Time for Travel. Time off earned by an employee when in an official travel status away from the employee's official duty station when such time is not otherwise compensable

050615 Compressed Work Schedule. For full-time employee, an 80-hour bi-weekly basic work requirement that is scheduled by an agency for less than 10 workdays; or for a part-time employee, a bi-weekly basic work requirement of less than 80 hours that is scheduled by an agency for less than 10 workdays and that may require the employee to work more than 8 hours in a day.

050616 Continuation of Pay (COP). The concept that an employee will continue to receive pay for a certain amount of time while the employing agency reviews the compensation claim filed by the employee. Federal Employees' Compensation Act provides for COP and is administered by the Office of Workers' Compensation Programs, U.S. Department of Labor.

050617 Court Leave. Paid time off without charge to leave for service as a juror or witness.

050618 Credit Hours. Any hours within a flexible work schedule that are in excess of an employee's basic work requirement (e.g., 40 hours a week) which the employee elects to work so as to vary the length of a workweek or workday. Agencies may limit or restrict the earning and use of credit hours. OPM regulations prohibit Senior Executive

Service (SES) members from accumulating credit hours under Alternative Work Schedule programs (5 C.F.R. 610.408). The law prohibits carrying over more than 24 credit hours from one pay period to the next (5 U.S.C. 6126).

050619 Family and Medical Leave Act (FMLA). Act that provides covered Federal employees a total of 12 administrative workweeks of unpaid leave during any 12-month period for (a) the birth of a son or daughter and care of the newborn; (b) the placement of a son or daughter with the employee for adoption or foster care; (c) the care of a spouse, son, daughter, or parent with a serious health condition; and (d) a serious health condition of the employee that makes the employee unable to perform the duties of his or her position. Upon return from such leave, an employee must be returned to the same position or to an equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment.

050620 Federal Employees' Compensation Act (FECA). Act that provides for the payment of workers' compensation benefits and authorized medical care for all civilian employees of the United States for any disability caused by a personal injury sustained in the performance of duty.

050621 Flexible Work Schedule (FWS). For a full-time employee, an 80-hour bi-weekly basic work requirement that allows an employee to determine his/her own schedule within the limits set by the agency; or for a part-time employee, has a bi-weekly basic work requirement of less than 80 hours that allows an employee to determine his or her own schedule within the limits set by the agency. FWS includes the concepts of core time band, flexible time band, flexitime, flexitour, gliding flexitour, and modified flexitour as defined in VA Handbook 5011, Part II.

050622 Frozen Leave. Annual Leave which was frozen at the end of the 2005 leave year due to the new 86 day annual ceiling established January 8, 2006. The amount of annual leave balance which was greater than 86 days but less than 120 days (the previous ceiling) was placed in to an account titled "Frozen Leave".

050623 Holiday. A day when Federal employees are excused from work as designated by Federal Statute under 5 U.S.C. 6103 or Executive Order.

050624 Leave without Pay (LWOP). A temporary non-pay status and absence from duty that, in most cases, is granted at the employee's request, but may also include unauthorized absence.

050625 Leave without Pay – Uniform Service (LWOP-US). A non-pay status and absence from duty due to a call to active duty by military order. An employee's request for LWOP-US must be granted.

050626 Lump-Sum Payments. A payment an employee receives for accrued annual leave when they separate from Federal service or may elect to receive when they enter on active duty with the Armed Forces. The amount of this lump-sum payment, as

stipulated in 5 U.S.C. 5551, must equal the pay the employee would have received had they remained employed until their annual leave expired. Upon separation from Federal employment, employees are entitled to payment for unused annual leave, unused restored leave, and, if applicable, unused frozen leave. For Senior Executive Service (SES) members, all unused accrued annual leave is payable at the rate of pay in effect. If an SES pay adjustment becomes effective during the employee's lump-sum leave period, the lump-sum payment is adjusted to reflect the increased rate beginning on the effective date of the pay adjustment.

050627 Military Leave. 5 U.S.C. 6323(a) provides for the accrual of 15 calendar days of military leave at the beginning of the fiscal year for active duty, active duty training, and inactive duty training. 5 U.S.C. 6323(b) provides 22 workdays per calendar year for reservists who perform full-time military service as a result of a call or order to active duty in support of a contingency operation, as defined in section 101(a) (13) of Title 10; however, the employee is entitled to retain only the amount of VA pay which exceeds his/her military pay and allowances.

050628 OPM Form 71, *Request for Leave or Approved Absence*. Form used to request leave when the employee cannot enter an electronic leave request.

050629 Office of Workers' Compensation Programs (OWCP). Office at the Department of Labor that administers four major disability compensation programs which provide wage replacement benefits, medical treatment, vocational rehabilitation and other benefits to certain workers or their dependents who experience work-related injury or occupational disease.

050630 Religious Compensatory Time. Time off for religious observances, under provisions in 5 U.S.C. 5550a and applicable regulations, in which employees may elect to work compensatory for the purpose of taking time off without charge to leave when their personal religious beliefs require that they abstain from work during certain periods of the workday or workweek, thereby avoiding an annual leave or leave without pay charge.

050631 Restored Leave. Annual leave that was forfeited because it was in excess of the maximum leave ceilings may be restored if the leave was forfeited because of an administrative error, exigency of the public business, or sickness of the employee

050632 Sick Leave. Time off that an employee may use for:

- Sick Leave for Personal Needs;
- Sick Leave for General Family Care or Bereavement Purposes;
- Sick Leave to Care for a Family Member with a Serious Health Condition; or
- Sick Leave for Adoption.

NOTE. Detailed information on appropriate use of sick leave is defined in VA Handbook 5011, Part III.

050633 Telework. The opportunity for employees to perform their work at locations other than the traditional office setting. It may include home-based telework, community-based telecenters, mobile and virtual offices, and U.S. General Stores.

050634 Voluntary Leave Transfer Program. Program which allows employees to donate annual leave to other employees who need leave because of a medical emergency.

### **0507 RESCISSIONS**

050701 MP-6, Part V, Sup. 2.3, Chapters 8 and 9

050702 MP-6, Part V, Sup. 2.2, Time and Leave and Coding of Time and Attendance Reports

050703 OF Bulletin 09047E2.05, Entitlement Update for Military Leave Charged on Non-Duty Days

050704 OF Bulletin 08GA2.05, Guidance on ETA Patch to Accommodate Executive Order Designating Monday, December 24, 2007, as a Federal Holiday

050705 OF Bulletin 07GA2.01D, Compensatory Time/Credit Hours

050706 OF Bulletin 07GA2.08, Guidance on ETA Patch to Accommodate Executive Order Designating Tuesday, January 2, 2007 as a Federal Holiday

050707 OF Bulletin 07GA2.10, Recording Annual Leave and Enhanced Time and Attendance (ETA) System Exceptions

050708 OF Bulletin 07GA2.11, Compensatory Time/Credit Hours Policy Changes

050709 OF Bulletin 07GA2.16, Policy and Procedure Changes for Compensatory Time

050710 OF Bulletin 06GA2.02, Military Leave Charged on Non-Duty Days for Full-Time Title 38 Employees

050711 OF Bulletin 06GA2.03, Military Leave for Full-Time Title 38 Employees Whose Leave is Recorded in Days

050712 OF Bulletin 06GA2.10, Military Leave Charged for Non-Duty Days for Title 5 and 38 EEs, Leave Recorded in Hours

050713 OF Bulletin 06GA2.21, Full-Time Physician and Dentist Leave Changes in 2006

050714 OF Bulletin 06GA2.31D, Annual Leave Lump Sum

050715 OF Bulletin 05GA2.09, Compensatory Time (CT) for Travel

050716 OF Bulletin 01GA2.01, Adjusting Continuation of Pay (COP) Hours

050717 OF Bulletin 01GA2.02, Adjusting Continuation of Pay (COP) Hours (Replaces OF Bulletin 01GA2.01)

050718 OF Bulletin 01GA2.05, Gliding Schedules and Credit Hours

050719 OF Bulletin 00GA2.01, Quarterly Continuation of Pay Report

050720 OFM Bulletin 97GA2.07, Compensatory Time Provisions for FWS Employees

050721 OFM Bulletin 97GA2.08, Revised Instruction for Compensatory Time Provisions for FWS

050722 OFM Bulletin 96G3.03, Revised Retention for SF 71, Application for Leave

050723 OFM Bulletin 96G3.05, Revised Retention for SF 71, Application for Leave

050724 OFM Bulletin 95G3.03, Family Friendly Leave Act

050725 OFM Bulletin 95G3.13, Automation of Family Friendly Leave

## **0508 QUESTIONS**

Questions concerning these financial policies and procedures should be directed as shown below:

VHA  
VBA  
All Others

VHA CFO Payroll Helpline (10A3A) (Outlook)  
VAVBAWAS/CO/241C/PAYROLL (Outlook)  
Payroll Policy (Outlook)

## APPENDIX A: ONLINE RESOURCES

The following hyperlinks serve as additional guidance to the topics covered in this chapter and are in addition to the authorities covered under section 0503.

### A. OHRM:

1. OHRM Worklife and Benefits Fact Sheets:  
[http://www.va.gov/OHRM/OHRM\\_Fact\\_Sheets.asp](http://www.va.gov/OHRM/OHRM_Fact_Sheets.asp)
2. OHRM Worklife and Benefits Home Page (includes “Hours of Duty” an “Leave”)  
<http://vaww1.va.gov/ohrm/WorkLife/WorkLife.htm>
3. VA OHRM Leave Flyer 05-20  
<http://vaww1.va.gov/ohrm/WorkLife/Leave/LeaveFlyers.htm#2005>
4. VA OHRM Leave Flyer 08-05  
<http://vaww1.va.gov/ohrm/ohrmFactSheets/005.pdf>

### B. OPM:

1. OPM Fact Sheets for Leave:  
<http://www.opm.gov/oca/leave/HTML/factindx.asp>
2. OPM Hours of Work Fact Sheets:  
<http://www.opm.gov/oca/pay/HTML/factindx.asp>
3. OPM Handbook on Alternative Work Schedules:  
<http://www.opm.gov/oca/aws/html/define.asp>

### C. VA Payroll References:

1. PAID User Guide (contains instruction for VA’s electronic time and attendance)  
<http://www.va.gov/vdl/application.asp?appid=51>
2. Part-time Physician Users Guide (Electronic Subsidiary Record)  
<http://www.va.gov/vdl/application.asp?appid=51>

**APPENDIX B: HOURS OF DUTY**

|                              |                                      |
|------------------------------|--------------------------------------|
| <a href="#">Appendix B-1</a> | Hours of Duty for Title 5 Employees  |
| <a href="#">Appendix B-2</a> | Hours of Duty for Title 38 Employees |
| <a href="#">Appendix B-3</a> | Compensatory Time                    |
| <a href="#">Appendix B-4</a> | Compensatory Time for Travel         |
| <a href="#">Appendix B-5</a> | Credit Hours                         |
| <a href="#">Appendix B-6</a> | Holiday                              |
| <a href="#">Appendix B-7</a> | Telework                             |



**APPENDIX B-1: HOURS OF DUTY FOR TITLE 5 EMPLOYEES**

This appendix is under development.

**APPENDIX B-2: HOURS OF DUTY FOR TITLE 38 EMPLOYEES**

This appendix is under development.

**APPENDIX B-3: COMPENSATORY TIME**

This appendix is under development.

## APPENDIX B-4: COMPENSATORY TIME OFF FOR TRAVEL

**1. OVERVIEW.** This appendix addresses payroll office and timekeeper requirement in recording authorized compensatory time for travel (CTFT) on VA timecard records, and maintaining the balance available for use. Refer to VA Handbook 5007, Part VIII, Chapter 15, *Compensatory Time Off for Travel*, for information regarding entitlement, eligibility<sup>4</sup>, and restrictions. Other resources applicable include 5 USC §5550b, 5 CFR 550 Subpart N, and OPM websites:

[http://www.opm.gov/oca/pay/html/compensatory\\_time.asp](http://www.opm.gov/oca/pay/html/compensatory_time.asp), and  
<http://www.opm.gov/oca/compmemo/2005/2005-03-att1.asp>.

All requests for CTFT must be documented and approved on VA Form 0861, *Request for Credit of Compensatory Time Off for Travel*, which may be obtained at [vaww4.va.gov/vaforms](http://vaww4.va.gov/vaforms) (VA only). Form completion instruction is under VA Handbook 5007, Part VIII, Appendix H. Certifying officials will submit the certified form to the unit timekeeper. VA Form 1098, *Request for and Authorization of Overtime Work*, is not required for CTFT earned. OPM requires that CTFT be tracked and managed separately from other forms of compensatory time.

Approved CTFT hours must be used within 26 pay periods after the pay period in which it is credited. Unused balances after 26 pay periods will be forfeited and there are no provisions for restoration. Employees may not receive compensation under any circumstances for forfeited balances. Compensatory time off for travel must be earned and used in 15-minute increments.

## 2. RESPONSIBILITIES

a. **EMPLOYEES:** Employees are responsible for submitting timely and accurate requests for compensatory time off for travel and for managing leave balances.

- Employees will submit completed VA Form 0861 to their supervisor for approval of CTFT earned within 15 calendar days after completion of authorized travel.
- Employees must request permission to use CTFT in accordance with normal leave procedures established in the employee's work unit and will submit requests for use of CTFT identifying Authorized Absence as the type of time and noting Compensatory Time Off for Travel in remarks.

b. **SUPERVISORS:** Certifying officials (first-line supervisor or higher level supervisor as determined locally) are responsible for reviewing and approving requests for compensatory time off for travel and for requesting additional documentation from the

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<sup>4</sup> The following employees are ineligible to receive CTFT: full-time physicians, dentists, podiatrists, chiropractors and optometrists appointed under 38 USC 7306, 7401 or 7405, employees in the Senior Executive Service, intermittent employees, and the Secretary of Veterans Affairs.

employee or other sources when deemed necessary to validate travel time. Once VA Form 0861 is approved, it will be forwarded to the timekeeper.

c. **TIMEKEEPERS:** Upon receipt of certified VA Form 0861, timekeepers will review the form for accuracy, enter a remark on the appropriate timecard, and complete the timekeeper section of VA Form 0861. Specific timekeeper instruction is listed in section 3.

d. **PAYROLL:** Payroll offices will ensure timekeepers are properly trained and will review this function as part of timekeeping audits.

(1) Payroll offices will ensure timekeepers are trained:

- In completing fields 12 through 16 of VA Form 0861 (Refer to section 3.a).
- In posting CTFT credited and used on timecards
- In posting CTFT on worksheets
- In posting and charging CTFT in not less than 15 minute increments
- In charging CTFT when multiple VA Forms 0861 are involved. CTFT credited on the oldest VA Form 0861 will be used on a first-in, first-out basis. For example, if an employee is credited 7 hours CTFT in 2005/17 and 4 hours CTFT in 2005/21, the 7 hours from 2005/17 must be reduced to zero (or expire) prior to allowing the employee to use CTFT from 2005/21.
- In maintaining VA Form 0861 and related worksheets for at least 6 years.

(2) Upon transfer to another VA facility (intra-agency), payroll offices will ensure that an employee's unused balance of compensatory time off for travel will transfer to the new VA facility. Unless the process is automated, the local payroll office will be responsible for providing the new facility payroll office with information required for credit of the transferred balance. Note: employees who move to a position that is not covered by the CTFT provisions will have unused balances of compensatory time forfeited.

### **3. TIMEKEEPER INSTRUCTION**

a. Verify the accuracy of the VA Form 0861:

(1) When an employee travels between different time zones, the time zone of departure must be used to determine if an employee traveled during regular duty hours. In determining the amount of travel time, use the actual number of hours and minutes traveled, rounded to the nearest quarter hour. Ensure the total CTFT hours are computed correctly.

(2) An employee's normal home-to-work or work-to-home commuting time must be deducted when employees travel outside of regular work hours between home and a temporary duty location or transportation terminal outside the limits of the official duty station. This also applies to travel on a day off.

b. Complete blocks 12–16<sup>5</sup> as follows:

(1) Block 12, Year/Pay Period Input. Enter the year and pay period CTFT was certified in block 12, Date Signed. For example, if a certifying official approves the request on July 8, 2005, which occurs in pay period 13, enter “2005/13”.

(2) Block 13, Year/Pay Period Expires. CTFT must be taken no later than the end of the 26th pay period<sup>6</sup> following the pay period in which it is credited. For example, if 2005/13 is posted in block 12, enter 2006/13 in block 13.

(3) Block 14, Timekeeper Initials. The timekeeper will initial this block.

(4) Block 15, Date Initialed. The timekeeper will enter the date he or she initialed block 14.

(5) Block 16, Is this a Correction? The timekeeper will mark the appropriate box, yes or no.

c. CTFT amounts will be entered in the remarks field of the timecard in the pay period the CTFT is credited and used.

(1) Crediting CTFT. Timekeepers will enter remark, “CT for Travel Credited; New Balance = XX.XX”. For example, if an employee is credited 7.5 hours CTFT during the pay period, the timekeeper will enter remark, “CT for Travel Credited; New Balance = 7.50” on the timecard.

(2) Using CTFT. Timekeepers will post AA to the timecard with remark, “CT for Travel Used XX.XX; New Balance = XX.XX”. For example, if an employee with a CTFT balance of 4 hours requests to use 45 minutes under AA during the pay period, the timekeeper will enter “CT for Travel Used .75; New Balance = 3.25” on the timecard.

d. Timekeepers must track CTFT outside the timekeeping system until the VA time & attendance system can separately identify and track hours. The blank worksheet below may be used for tracking CTFT. A locally devised worksheet may be used instead subject to prior approval by the servicing payroll office. Worksheets will be used along with the corresponding VA Form 0861 to track CTFT.

e. A separate worksheet can be maintained for each period CTFT is earned, or multiple periods of CTFT earned may be tracked on one worksheet with some added notes or columns.

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<sup>5</sup>Based on VA Form 0861 [revised May 2007]. The Compensatory Time for Travel Policy, Instructions and online VA Form 0861 are found at: [http://vaww1.va.gov/ohrm/Pay/COMP\\_TIME.htm](http://vaww1.va.gov/ohrm/Pay/COMP_TIME.htm) (VA only site).

<sup>6</sup> Aging of CTFT may be suspended during military service and during periods of OWCP pay entitlement under 5 CFR 550.1407 and VA Handbook 5007, Part VIII, Chapter 15, paragraph 7.c.

- Show cumulative reduction of the balance for earliest unused hours.
  - The expiration pay period can be entered on the same row approval is noted.
- f. If CTFT is requested for an amount that exceeds the employee's CTFT balance, the supervisor will be notified immediately of the discrepancy. The employee cannot use CTFT in excess of the approved balance.
- g. Completed VA Forms 0861 and corresponding worksheets will be retained for at least 6 years. Refer to [Figure 5B-1: CT for Travel - Sample Worksheet \(Blank\)](#) and [Figure 5B-2: CT for Travel - Sample Worksheet \(Completed\)](#) for examples. The below excel workbook contains the CT worksheets displayed in the figures that may be used.

***CT for Travel Workbook***



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Comp Time for Travel

Figure 5B-1: CT for Travel - Sample Worksheet (Blank). Refer to Excel file above for actual [CT Travel Workbook](#).

**SAMPLE WORKSHEET (BLANK)  
 COMPENSATORY TIME OFF FOR TRAVEL**

**EMPLOYEE**

---

|    | YEAR/PAY PERIOD | APPROVED | USED | ADJUSTMENT | BALANCE |
|----|-----------------|----------|------|------------|---------|
| 1  |                 |          |      |            |         |
| 2  |                 |          |      |            |         |
| 3  |                 |          |      |            |         |
| 4  |                 |          |      |            |         |
| 5  |                 |          |      |            |         |
| 6  |                 |          |      |            |         |
| 7  |                 |          |      |            |         |
| 8  |                 |          |      |            |         |
| 9  |                 |          |      |            |         |
| 10 |                 |          |      |            |         |
| 11 |                 |          |      |            |         |
| 12 |                 |          |      |            |         |
| 13 |                 |          |      |            |         |
| 14 |                 |          |      |            |         |
| 15 |                 |          |      |            |         |

**PAY PERIOD:** Enter the pay period the CTFT was credited in the top left box. Enter only pay periods where adjustments are made or CTFT is used.

**APPROVED** – Enter the total contained in box 7 of VA Form 0861 to the right of the PAY PERIOD immediately above. For example, if an employee earns 2 hours CTFT for outgoing travel and 45 minutes CTFT for return travel, enter 2.75.

**USED** – Enter the CTFT used during the pay period.

**ADJUSTMENT** – Use this field only when an adjustment is made to the initial CTFT credited and the employee still has a positive balance. For example, 8 hours CTFT was credited in pay period 3 and the employee has used 3 hours. The certifying official determines in pay period 14 only 6 hours should have been credited. Pay period 14 will reflect an adjustment of 2.00 and the balance will be reduced to 3.00. The employee must use this new balance by pay period 3 of the following year (26 pay periods after originally credited).

**BALANCE** – Enter the new balance for any pay period an entry was made in the Approved, Used, or Adjustment fields.



**Figure 5B-2: CT For Travel - Sample Worksheet (Completed).** Refer to Excel file above for actual [CT Travel Workbook](#).

**SAMPLE WORKSHEET (COMPLETED)  
 COMPENSATORY TIME OFF FOR TRAVEL**

**EMPLOYEE**

J. DOE

|   | YEAR/PAY PERIOD | APPROVED | USED | ADJUSTMENT | BALANCE |
|---|-----------------|----------|------|------------|---------|
| 1 | 2005/10         | 10       |      |            | 10      |
| 2 | 2005/14         |          | 4.5  |            | 5.5     |
| 3 | 2005/19         |          | 2    |            | 3.5     |
| 4 | 2005/23         |          | 1    |            | 2.5     |
| 5 | 2006/02         |          | 1    |            | 1.5     |
| 6 | 2006/08         |          | 0.5  |            | 1       |
| 7 | 2006/10         |          | 1    |            | 0       |
| 8 |                 |          |      |            |         |
| 9 |                 |          |      |            |         |

J. Doe is credited with 10 hours CTFT in pay period 10 of 2005. Therefore, CTFT must be used by pay period 10 in 2006. Initial CTFT credit and balance are posted on line 1.

As the employee uses this CTFT, the applicable year and pay period are entered in the YEAR/PAY PERIOD box. The hours and minutes used for each pay period are entered in the USED box and the BALANCE box is adjusted accordingly. In this example, the employee used CTFT in pay periods 14, 19 and 23 of 2005, and 02, 08 and 10 in 2006 until his CTFT balance was reduced to zero.

**APPENDIX B-5: CREDIT HOURS**

**OVERVIEW.** Credit hours are hours that an employee elects to work, with supervisory approval, in excess of the employee’s basic work requirement under a flexible work schedule. An employee may use credit hours at a later time, with supervisory approval, to allow absence during an equal number of hours of the employee’s basic work requirement with no loss of basic pay. Refer to VA Handbook 5011, Part III, Chapters 2 and 3 for additional information on entitlement.

This appendix addresses payroll office and timekeeper requirements in recording authorized credit hours on VA timecard records and in maintaining the balance available for use. The Enhanced Time and Attendance (ETA) system must not be used to record credit hours earned and credit hours used under the same type of time codes applicable to compensatory time. Until VA timekeeping and payroll systems can separately maintain the credit hours balance, timekeepers must manually track balances and use remarks on the ETA timecard to note credit hours worked and used. Employee requests for credit hours used as leave should be submitted using AA (Authorized Absence) as the type of time code, noting “credit hours” in remarks.

**A. Differences Between Credit Hours and Compensatory Time:**

|                                  | <b>CREDIT HOURS</b>   | <b>COMPENSATORY TIME</b>   |
|----------------------------------|---|--|
| Eligibility                      | Applies only to flexible work schedules; not available for compressed work schedules  | In lieu of overtime for full-time or part-time employees.  |
| Expiration                       | None  | 26 pay periods after pay period earned   |
| Maximum Carryover per Pay Period | 24 hours for full-time; 1/4 of normal hours for part-time   | None   |
| Payout                           | At <u>base pay rate</u> when:<br>1) No longer eligible to earn or use credit hours, or<br>2) Separating or Transferring to another facility | At <u>overtime rate</u> upon:<br>1) transfer or separation;<br>2) change to OWCP or military furlough status (Ref. 5 CFR 550.114f(2)); or<br>3) expiration (FLSA exempt payment requires documentation of service exigency preventing use) |
| Origin                           | Employee request  | Supervisor request/mandate   |

## B. ETA Record Responsibilities:

1. Employees. Employees must promptly communicate credit hours earned in accordance with supervisor/service requirement. Credit hours used are subject to supervisor pre-approval for absence during scheduled work hours. Employees are responsible for submitting timely and accurate requests for credit hours used under the AA type of time code, and for managing leave balances. Employees may maintain record of their credit hours balance to confirm accuracy and to help resolve discrepancies. VA employees on a compressed work schedule are not eligible to earn or use credit hours.

2. Timekeepers. Timekeepers must record credit hours earned and used in limited timecard remarks space for each workday affected. Abbreviations are encouraged. Credit hours used will be charged under the AA (Authorized Absence) type of time code. Balance tracking of credit hours must be maintained for each affected employee. Use of an automated spreadsheet is recommended. Regular communication of the carryover balance to the employee is required for pay periods with credit hours earned or used by that employee. Timekeepers must apply carryover limitations identified in section 1 above, and must work with the supervisor to disallow use of credit hours in excess of the available balance. VA employees on a compressed work schedule are not eligible to earn or use credit hours.

3. Supervisors. Supervisors are responsible for certifying the accuracy of time and attendance records including required notation of credit hours earned and used. Supervisor Time and Attendance responsibilities specific to credit hours authorized within flexible work schedules are addressed in VA Handbook 5011, and may also be addressed in facility policy and union agreement.

When an employee ceases to work in a work unit where credit hours may be earned, the supervisor will offer the employee the following options:

- a. Sufficient advance notice to use earned credit hours prior to leaving the work unit;
- b. Compensation for the earned credit hours at the employee's current rate of basic pay;  
or
- c. Transfer of the earned credit hours to the new work unit, if credit hours have been authorized for that work unit.

The supervisor will communicate the employee election to payroll.

4. Local Payroll. VA local payroll offices are responsible for instructing timekeepers on manual record keeping requirement for credit hours, and for periodic audit of credit hours documentation along with other T&A records. Credit hours documented in

remarks on ETA timecards will not be reflected on DCPS timecards except as noted in section C below.

**C. Local Payroll Payment Process:** When payment of the credit hours balance is authorized, hours paid must not exceed the pay period carryover limit.

1. Payment Upon Transfer or Separation. DFAS automated payment requires the balance in hours documented as credit hours earned (CD) on DCPS timecard records. Entry of credit hours on the DCPS timecard requires entry of an Alternate Work Schedule (AWS) code. While VA's ETA timecard data remains the source for payroll data transmitted to DCPS, change to the DCPS work schedule should be limited to only the pay period(s) requiring some special action, and must not permanently change work schedules for future pay periods. To minimize required work schedule change, the balance of credit hours accumulated over multiple pay periods may be entered on a single DCPS pay period timecard. The timecard adjusted in DCPS should be among the last few pay periods in which the employee was eligible to earn credit hours. (Avoid adjustment to a pay period with overtime/comptime for FLSA Non-exempt employees; FLSA will be computed on a biweekly basis). The credit hours balance is payable at the current hourly base pay rate when eligible for payment, not at the rate in effect when credit hours were earned. AWS code 5 should be entered on the schedule record in DCPS for the pay period adjusted. For AWS code 5 the total number of biweekly hours will display on Saturday of week 2. Employees on non-fixed tours must have T&A input manually by VA local payroll on the DCPS timecard. Credit hours should be added to one or more workdays of 8 or more scheduled hours, with total CD (Credit Hours Earned) hours equal to the balance payable. Automated DCPS transaction process should reduce the credit hours balance by the number of hours paid. DCPS payment for credit hours is issued under lump sum pay code, PR.

2. Payment Authorized to Employees Not Separating. When the employee is not separating, and ceases to work in a work unit where credit hours may be earned, follow instruction in section C1 above. A remedy ticket must be submitted to request payment and to identify the effective date of pay entitlement. Automated DCPS transaction process should reduce the credit hours balance by the number of hours paid. DCPS payment for credit hours is issued under lump sum pay code, PR.

**D. Optional Spreadsheet.** Refer to [Figure 5B-3: Credit Hours Worksheet and Example](#), for the excel template and example.

Figure 5B-3: Credit Hours Worksheet and Example



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Credit Hours Workshe

**CREDIT HOURS (Example)**

PAY PERIOD CARRY-OVER LIMIT\*: 24

EMPLOYEE J. Doe

\*NTE 24 Hrs for full-time or 1/4 of part-time Normal Hours

|    | DATE       | WORKED                             | USED | BALANCE | NOTES   |
|----|------------|------------------------------------|------|---------|---|
| 1  | XX/XX/XXXX | Carryover Balance - Prior Workbook |      | 20      |   |
| 2  | 2/26/2012  | 10                                 | 0    | 30      | ALERT: Exceeds max hours; possible forfeit: <b>-6</b> |
| 3  | 2/28/2012  | 0                                  | 4    | 26      | ALERT: Exceeds max hours; possible forfeit: <b>-2</b> |
| 4  | 3/2/2012   |                                    | 1    | 25      | ALERT: Exceeds max hours; possible forfeit: <b>-1</b> |
| 5  | 3/10/2012  |                                    | 0    | 24      | 1 hour forfeit PPE 3/10/12                            |
| 6  |            |                                    |      | 24      |   |
| 7  |            |                                    |      | 24      |   |
| 8  |            |                                    |      | 24      |   |
| 9  |            |                                    |      | 24      |   |
| 10 |            |                                    |      | 24      |   |
| 11 |            |                                    |      | 24      |   |
| 12 |            |                                    |      | 24      |   |
| 13 |            |                                    |      | 24      |   |
| 14 |            |                                    |      | 24      |   |
| 15 |            |                                    |      | 24      |   |
| 16 |            |                                    |      | 24      |   |
| 17 |            |                                    |      | 24      |   |
| 18 |            |                                    |      | 24      |   |
| 19 |            |                                    |      | 24      |   |
| 20 |            |                                    |      | 24      |   |
| 21 |            |                                    |      | 24      |   |
| 22 |            |                                    |      | 24      |   |
| 23 |            |                                    |      | 24      |   |
| 24 |            |                                    |      | 24      |   |

Balance must be a positive number or zero. Balances may exceed the maximum pay period carryover amount within a pay period. Reduction is enforced at the end of a pay period by entering the maximum in the balance field. Identify hours forfeit in NOTES. Note all hours in quarter hour increments-whole hours or ending in .25, .5, or .75.

**APPENDIX B-6: HOLIDAYS**

This appendix is under development.

**APPENDIX B-7: TELEWORK**

This appendix is under development.

**APPENDIX C: LEAVE**

|                               |   |
|-------------------------------|---|
| <a href="#">Appendix C-1</a>  | Annual Leave                                    |
| <a href="#">Appendix C-2</a>  | Authorized Absence                              |
| <a href="#">Appendix C-3</a>  | Family and Medical Leave Act                    |
| <a href="#">Appendix C-4</a>  | Leave Without Pay (LWOP)                        |
| <a href="#">Appendix C-5</a>  | Military Leave                                  |
| <a href="#">Appendix C-6</a>  | Office of Workers' Compensation Programs (OWCP) |
| <a href="#">Appendix C-7</a>  | Sick Leave                                      |
| <a href="#">Appendix C-8</a>  | Voluntary Leave Transfer Program                |
| <a href="#">Appendix C-9</a>  | Other Paid Leave                                |
| <a href="#">Appendix C-10</a> | SF 1150, Record of Leave Data                   |



**APPENDIX C-1: ANNUAL LEAVE**

This appendix is under development.

**APPENDIX C-2: AUTHORIZED ABSENCES**

This appendix is under development.

**APPENDIX C-3: FAMILY AND MEDICAL LEAVE ACT (FMLA)**

This appendix is under development.

**APPENDIX C-4: LEAVE WITHOUT PAY (LWOP)**

This appendix is under development.

## APPENDIX C-5: MILITARY LEAVE

**A. OVERVIEW.** Military leave is leave of absence with pay provided by statute, which *must* be granted to allow eligible employees who are members of the National Guard, or a Reserve component of the U.S. Armed Forces to perform active military duty, inactive-duty training (as defined in Title 37 Section 101), or be engaged in field or coast defense training under of Title 32 Sections 502-505. When appropriate, additional military leave may also be granted for the purpose of providing aid to enforce the law or as a result of a call or order to active duty in support of a contingency operation as defined in 10 U.S.C. 101(a)(13).

Employee entitlement and eligibility for military leave is determined by local Human Resources (HR). Military leave entitlements under [5 U.S.C. 6323](#) authority maintain the employee in a 'pay' status. The employee's civilian (VA) pay will include pay entitlements that the employee would normally receive during paid leave. The employee will also receive annual and sick leave accruals during periods of military leave.

All eligible employees will be encouraged to notify<sup>7</sup> approving officials as far in advance as possible of their need for military leave so that arrangements can be made to prepare for their absences while on leave. Final approval of military leave shall be contingent upon the employee furnishing certification<sup>8</sup> from the military authorities confirming that military duty was performed for the period that military leave was granted.

An employee who is under active duty military orders cannot perform civilian duty, or be paid for that duty, during the dates stated on the orders.

This appendix will provide information on how to process employee timecards and pay for the different types of military leave available. Additional information on military leave may be obtained from the following resources:

- OPM Web sites:
  - [www.opm.gov/oca/LEAVE/HTML/MILITARY.ASP](http://www.opm.gov/oca/LEAVE/HTML/MILITARY.ASP);
  - [www.opm.gov/oca/LEAVE/HTML/MILQA.asp](http://www.opm.gov/oca/LEAVE/HTML/MILQA.asp);
  - [www.opm.gov/flsa/oca/compmemo/2001/2001-09a.asp](http://www.opm.gov/flsa/oca/compmemo/2001/2001-09a.asp)
- 5 U.S.C. 6323: [www.gpo.gov/fdsys/pkg/U.S.C.ODE-2010-title5/pdf/U.S.C.ODE-2010-title5-partIII-subpartE-chap63-subchapII-sec6323.pdf](http://www.gpo.gov/fdsys/pkg/U.S.C.ODE-2010-title5/pdf/U.S.C.ODE-2010-title5-partIII-subpartE-chap63-subchapII-sec6323.pdf)

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<sup>7</sup> Employees should also contact their local Human Resources to ensure he or she is informed of any military leave entitlements and/or benefits options during their military service.

<sup>8</sup> For timekeeper audit purposes, military leave certification includes, but is not limited to: DD Form 214 "Certificate of Release or Discharge from Active Duty", memorandum or email from the employee's commander or other appropriate authority certifying his/her attendance, military LES which reflects the dates of military service.

- 5 U.S.C. 5519: [www.gpo.gov/fdsys/pkg/USCODE-2010-title5/html/USCODE-2010-title5-partIII-subpartD-chap55-subchapII-sec5519.htm](http://www.gpo.gov/fdsys/pkg/USCODE-2010-title5/html/USCODE-2010-title5-partIII-subpartD-chap55-subchapII-sec5519.htm);
- Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994: [www.dol.gov/compliance/laws/comp-userra.htm](http://www.dol.gov/compliance/laws/comp-userra.htm);
- Office of Human Resources Management (OHRM): [Information for Employees Called to Active Duty](#); [Checklist for Employees Entering Extended Military Duty](#); and
- OHRM Web sites (only available within VA):
  - [VA Handbook 5011, Hours of Duty and Leave](#): Title 5 employees - Part III, Chapter 2, Paragraph 9; Title 38 employees - Part III, Chapter 3, Paragraph 7
  - [OHRM Frequently Asked Questions and Answers](#);
  - [OHRM Leave Flyer 09-13 - 5 Days of Authorized Absence upon Return to Duty](#).

## B. TYPES OF MILITARY LEAVE AND EFFECT ON CIVILIAN (VA) PAY<sup>9</sup>

Military leave will be granted in connection with military duty as described below. Following is a summary of military leave authorities:

- 5 U.S.C. 6323(a): up to 120 hours (15 days) of military leave per fiscal year (FY) for active duty, active and inactive duty training, or engaging in field or coast defense training;
- 5 U.S.C. 6323(b): up to an additional 22 days (176 hours) of military leave per calendar year (CY) for support of civil authorities in the protection of life and property or support of a contingency operation<sup>10</sup>;
- 5 U.S.C. 6323(c): unlimited military leave for members of the DC National Guard ordered to duty under title 39 of the DC Code;
- 5 U.S.C. 6323(d): does not apply to VA.

**1. 5 U.S.C. 6323(a) authorizes up to 120 hours (15 days) of military leave per fiscal year (FY).** This type of military leave is applicable to Reserve and National Guard members of the Army, Navy, Marine Corps, Air Force, and Coast Guard, including the National Guard of the District of Columbia (DC).

**a. Applicable Uses.** This type of military leave may be used for active duty, active and inactive duty training, or engaging in field or coast defense training. Inactive duty training is authorized training performed by members of the National Guard or Reserve component and performed in connection with the prescribed activities of the National

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<sup>9</sup> Some reservists may qualify for Reservist Differential pay; guidance is found in [Volume XV Payroll, Chapter 6 Payments, Appendix H Military Reservists' Differential Pay](#).

<sup>10</sup> The term "Contingency Operation" means a military operation that: (1) is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or (2) results in the call or order to, or retention on, active duty of members of the uniformed services under section 688, 12301(a), 12302, 12304, 12305, or 12406 of Title 10 U.S.C., Chapter 15 of Title 10, U.S.C., or any other provision of law during a war or during a national emergency declared by the President or Congress.

Guard or Reserve component. It may consist of regularly scheduled unit training periods, additional training periods, and equivalent training.

**b. Crediting the Leave.** Eligible employees are to be credited with this type of military leave each FY. The military leave balance will not be reflected on the employee's leave record until the pay period after the first time military leave hours or days are posted on the employee's timecard.

**c. Maximum Accruals.** Full-time employees accrue 120 hours (15 days) of military leave under this authority. Unused military leave may be carried over into a succeeding FY year providing for a maximum balance of 240 hours (or 30 days) during a FY; any hours over the maximum of 240 hours will be forfeited and may not be restored for use. Part-time employees and employees on uncommon tours of duty accrue military leave on a prorated basis, proportional to the number of hours in the employee's regularly scheduled biweekly pay period. NOTE: Part-time Title 38 employees are not prorated; they receive the full 120 hours each FY pursuant to authority of 38 U.S.C. 7421 (refer to VA Handbook 5011, Part III, Chapter 3, Paragraph 7.a.(2)).

**d. Charging Military Leave.** Although this type of military leave is generally referenced in 8-hour workdays, the minimum charge is one hour. An employee is charged military leave in whole hour increments only for hours that the employee would have worked and received pay. An employee who requests military leave for inactive duty training is charged only for the amount of military leave (in whole hour increments) necessary to cover the period of military training and necessary travel. Hours in the regularly scheduled workday that are not chargeable to this type of military leave must be worked or charged to another category of leave; e.g., annual leave, LWOP, compensatory time for travel, as appropriate. NOTE: Full-time Title 38 physicians/dentists are charged leave in increments of 1 day as they accrue and use leave in increments of 1 day.

**e. Non-Duty Days.** Military leave is not charged for non-duty days.

**f. Salary Payments.** Employees on military leave under 5 U.S.C. 6323(a) are entitled to retain both their military and Federal civilian pay.

**2. 5 U.S.C. 6323(b) authorizes 22 days (up to 176 hours) per calendar year (CY).** This military leave is commonly referred to as "22 days of contingency leave"<sup>11</sup> and is ordered by the President, the Secretary of Defense, or a State Governor.

**a. Applicable Uses.** This type of military leave is applicable to employees who perform military duties in support of civil authorities in the protection of life and property

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<sup>11</sup> For the purposes of this document, the term "contingency leave" refers to the 22 days of military leave in accordance with 5 U.S.C. 6323(b).

or who perform full-time military service as a result of a call or order to active duty in support of a contingency operation as defined in 10 U.S.C. 101(a)(13).

Effective November 24, 2003, all employees who were activated in support of the national emergency declared by the President (resulting from the terrorists attacks against the United States of America on September 11, 2001) are entitled to the 22 days (176 hours) of military leave under this authority.

This military leave is separate and distinct from the 15 days of military leave authorized in 5 U.S.C. 6323(a)(1). The following is a summary of the differences:

- Employees receive the greater of their VA or military pay, **but not both**, for military leave under 5 U.S.C. 6323(b), unless the employee elects to use his or her accrued annual leave or compensatory time for travel. Upon employee request, military leave used under 5 U.S.C. 6323(b) may be charged to the employee's accrued annual leave or compensatory time for travel available and the employee retains both VA pay and military pay.
- Employees who use military leave under 5 U.S.C. 6323(b) must provide local payroll with all military leave and earnings statements (LES) covering the period of absence<sup>12</sup>.
- Military leave under 5 U.S.C. 6323(b) cannot be charged to sick leave.
- Military leave authorized under 5 U.S.C. 6323(b) that is not used during the CY is not credited to the next CY.

**b. Crediting the Leave.** This type of military leave is credited on a CY basis and unused leave may not be "carried over" to a subsequent year. Until VA's time and attendance system has been updated, the 22 days (up to 176 hours) must be manually tracked by the local payroll office.

**c. Maximum Accruals.** Eligible full-time employees may accrue 22 days (176 hours) of military leave under this authority. Unused military leave may not be carried over into a succeeding CY year. Eligible part-time employees and employees on uncommon tours of duty accrue military leave proportional to the number of hours in the employee's regularly scheduled biweekly pay period.

**d. Charging Military Leave.** Although this type of military leave is generally referenced in 8-hour workdays, the minimum charge is one hour. An employee is charged military leave in whole hour increments only for hours that the employee would have worked and received pay. Hours in the regularly scheduled workday that are not chargeable to this type of military leave must be charged to another category of leave; e.g., annual leave, LWOP, compensatory time for travel, as appropriate. NOTE: Full-

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<sup>12</sup>If the employee receives payment for pay or allowances after the 22-day timeframe and that pay is applicable to the 22-day timeframe, the employee must also provide that LES.



time Title 38 physicians/dentists are charged leave in increments of 1 day as they accrue and use leave in increments of 1 day.

**e. Non-Duty Days.** Military leave is not charged for non-duty days.

**f. Salary Payments.** Employees on military leave authorized under 5 U.S.C. 6323(b) are entitled to the greater of the Federal civilian or military pay, **but not both**, as these employees are subject to the dual compensation restriction. This type of military leave benefit is designed to allow the mobilized Federal employee who earns more money in his or her civilian position to receive the difference between his or her military and civilian (VA) pay for the 22 day period. Military pay and allowances includes but are not limited to basic pay, basic allowance for housing, basic allowance for subsistence, family separation allowance, imminent danger pay, hardship duty pay, sea duty pay, flight pay, hazardous duty incentive pay, and monthly medical pays<sup>13</sup>. The gross amount of military pay received for any day(s), not to exceed 22 days per calendar year, must be deducted from the civilian (VA) pay received during this absence. If the employee's military pay exceeds his or her civilian (VA) pay, the employee will retain that portion of military pay that exceeds the civilian pay. Use of this military leave requires the employee's civilian (VA) pay to be offset by the amount of military pay and allowances allocated to those leave days in accordance with 5 U.S.C. 5519.

Special note regarding full-time, Title 38 physicians and dentists who are paid based on a 14 day schedule each pay period: to avoid dual compensation, the civilian (VA) pay must be offset by military pay received for any administrative non-duty days which are connected to the usage of the 22 days contingency leave.

The employee is not entitled to any difference in pay under 5 U.S.C. 6323(b) for periods during which the employee is receiving Federal civilian pay for performing work, is using paid leave or other paid time off, is in a military non-pay status (military non-pay status is generally conduct-related, i.e., confinement, desertion, AWOL), or is receiving Reservist Differential pay.

Employees who request the 22 days (176 hours) must be charged leave without pay (LWOP) initially to ensure proper payment.

Employees who use military leave under 5 U.S.C. 6323(b) must provide the local Payroll office with all military LESSs covering the period of absence to ensure the military pay offset is calculated correctly.

If an employee elects to use his or her accrued leave, e.g., available annual leave or compensatory time for travel hours, in lieu of this military leave, the pay offset provision

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<sup>13</sup> Specific guidance for determining applicable military pay and allowances is found in [Volume XV, Chapter 6, Payroll: Payments, Appendix H-2, Section B](#).

does not apply and the employee retains both full military and civilian (VA) pay. This period of absence may not be charged to sick leave.

If an employee receives his or her full Federal civilian pay for any portion of the 22 workdays of military leave, he or she will be required to refund an amount equal to the amount of military pay and allowances received (less any travel, transportation, or per diem allowances), not to exceed the amount of the Federal civilian pay, for the corresponding dates. If this occurs, local payroll must contact the appropriate payroll policy office identified in section H of this appendix for instruction.

NOTE: The projected rate of civilian (VA) basic pay will be determined using policies consistent with USERRA, under which employees are credited with any pay adjustment<sup>14</sup> that, with “reasonable certainty,” would have occurred but for service in the military. Local payroll will need to contact Human Resources to find out if and/or when projected adjustments would be effective.

**3. 5 U.S.C. 6323(c) authorizes unlimited military leave** for members of the District of Columbia (DC) National Guard for certain types of duty (i.e., serving in a parade or encampment) ordered or authorized under title 39 of the DC Code.

**a. Applicable Uses.** This type of military leave is limited to serving in a parade or encampment, or drills and training under the authority of the Commanding General of the DC National Guard.

**b. Crediting the Leave.** Until VA’s time and attendance system has been updated, this type of leave must be manually tracked by the local payroll office.

**c. Maximum Accruals.** Not applicable.

**d. Charging Military Leave.** Although this type of military leave is generally referenced in 8-hour workdays, the minimum charge is one hour. An employee is charged military leave in whole hour increments only for hours that the employee would have worked and received pay. An employee who requests military leave for inactive duty training is charged only for the amount of military leave (in whole hour increments) necessary to cover the period of military training and necessary travel. Hours in the regularly scheduled workday that are not chargeable to this type of military leave must be worked or charged to another category of leave; e.g., annual leave, LWOP, compensatory time for travel, as appropriate. NOTE: Full-time Title 38 physicians and dentists are charged leave in increments of 1 day as they accrue and use leave in increments of 1 day.

**e. Non-Duty Days.** Military leave is not charged for non-duty days.

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<sup>14</sup> Pay adjustment examples include but are not limited to: general pay adjustments, including locality pay and special rate adjustments; within-grade increases; career ladder promotion increases; performance-based basic pay adjustments.

**f. Salary Payments.** Employees on military leave authorized under 5 U.S.C. 6323(c) are entitled to the greater of the Federal civilian or military pay, **but not both**, as these employees are subject to the dual compensation restriction. Military pay and allowances includes but are not limited to basic pay, basic allowance for housing, basic allowance for subsistence, family separation allowance, imminent danger pay, hardship duty pay, sea duty pay, flight pay, hazardous duty incentive pay, and monthly medical pays. The gross amount of military pay received for any day(s) used under this entitlement must be deducted from the civilian (VA) pay received during this absence. If the employee's military pay exceeds his or her civilian (VA) pay, the employee will retain that portion of military pay that exceeds the civilian pay. Use of this military leave requires the employee's civilian (VA) pay to be offset by the amount of military pay and allowances allocated to those leave days in accordance with 5 U.S.C. 5519.

Special note regarding full-time, Title 38 physicians and dentists who are paid based on a 14 day schedule each pay period: to avoid dual compensation, the civilian (VA) pay must be offset by military pay received for any administrative non-duty days which are connected to the usage of this leave.

The employee is not entitled to any difference in pay under 5 U.S.C. 6323(c) for periods during which the employee is receiving Federal civilian pay for performing work, is using paid leave or other paid time off, is in a military non-pay status (military non-pay status is generally conduct-related, i.e., confinement, desertion, AWOL).

Employees who request this entitlement must be charged leave without pay (LWOP) initially to ensure proper payment.

Employees who use military leave under 5 U.S.C. 6323(c) must provide the local Payroll office with all military LESs covering the period of absence to ensure the military pay offset is calculated correctly.

If an employee elects to use his or her accrued leave, e.g., available annual leave or compensatory time for travel hours, in lieu of this military leave, the pay offset provision does not apply and the employee retains both full military and civilian (VA) pay. This period of absence may not be charged to sick leave.

If an employee receives his or her full Federal civilian pay for any portion of this military leave, he or she will be required to refund an amount equal to the amount of military pay and allowances received (less any travel, transportation, or per diem allowances), not to exceed the amount of the Federal civilian pay, for the corresponding dates. If this occurs, local payroll must contact the appropriate payroll policy office identified in section H of this appendix for instruction.

NOTE: The projected rate of civilian (VA) basic pay will be determined using policies consistent with USERRA, under which employees are credited with any pay adjustment

that, with “reasonable certainty,” would have occurred but for service in the military. Local payroll will need to contact Human Resources to find out if and/or when projected adjustments would be effective.

**4. 5 U.S.C. 6323(d) does not apply to VA.** VA does not hire employees subject to this authority.

### **C. TIMEKEEPER & PAYROLL INSTRUCTION.**

Upon employee request, military leave and/or personal leave, if available, must be processed for the dates requested by the employee or as soon as possible after the employee submits his or her request. For example:

- For 5 U.S.C. 6323(a): If an employee is deployed March 2012 and...
  - submits a request in October 2012 to use the fiscal year (FY) 2013 military leave accrual, this request will be processed immediately (if the employee requested the leave be used on specific dates, then the request will be processed on those dates);
  - submits a request in September 2012 to use the FY 2013 military leave accrual, then the request will be processed as soon as possible on or after October 1, 2012 when the new FY military leave accrues.
- For 5 U.S.C. 6323(b): If an employee is deployed October 2012 and...
  - submits a request to use the 5 U.S.C. 6323(b) entitlement for both calendar years (CY) 2012 & 2013, this request will be processed as soon as possible AFTER the employee submits their military LESs for the dates requested.
  - Processing this entitlement is contingent upon the employee furnishing the required documentation; return to duty is not a requirement to process this entitlement.
- For 5 U.S.C. 6323(c): If an employee is deployed October 2012 and...
  - submits a request to use the 5 U.S.C. 6323(c) entitlement, this request will be processed as soon as possible AFTER the employee submits their military LESs covering the dates this leave was used.

NOTE: the military orders for each of the examples above verified employee entitlement to the type of military leave requested.

When an employee transfers to VA from another Federal agency, local payroll must check the military leave balance on the employee’s Standard Form (SF)1150. If the SF1150 is not available timely, then local HR or payroll must contact the former agency to verify the employee’s military leave balance and the number of hours/days previously

used. Local payroll will submit a remedy ticket to DFAS to reduce the VA military leave balance for military leave hours/days used in the current fiscal or calendar year.

**1. 5 U.S.C. 6323(a) – up to 120 hours (15 days) per Fiscal Year (FY)**

**a. Documentation:** The employee's supervisor and/or timekeeper must maintain the employee's military leave documentation on file for 6 years.

**b. VA Timecard Posting:** The VA time and attendance (T&A) timecard will be posted based on the employee's approved leave request provided the requested leave is available.

- The following VA timecard codes are used to record absences during military furlough status:
  - WP - Absent (LWOP)-Uniformed Service
  - AL - Annual Leave
  - HX- Holiday Excused
  - ML - Military Leave
  - SL - Sick Leave (*SL regulations apply*)
  - RL - Restored Annual Leave
- If the employee requests to use available military leave, the timekeeper will post ML on the appropriate hours/days.
- If the employee requests to use another type of available leave, e.g., annual leave, restored leave, the timekeeper will post the type of leave requested on the appropriate hours/days.
- If a holiday is connected to paid leave during military leave, the timekeeper will post HX for the holiday. However, if the holiday is included within a period of continuous<sup>15</sup> non-pay status, the holiday must be posted as WP.
- When the employee is on extended LWOP<sup>16</sup> for military service, the timekeeper will post WP on the appropriate hours/days.
  - Extended LWOP - An employee who is on extended LWOP may request to use available leave at any time during the military duty (furlough) period. If the electronic VA timecard is not available, then a paper timecard (VA Form 5631) must be completed and maintained on file for six (6) years. If the leave request is for a current pay period, local payroll can insert the time and leave unit back in the employee's record which will allow the timekeeper to create a tour schedule and post the leave requested. The supervisor will certify the timecard; however, it will not flow to DCPS due to the LWOP indicator. Local payroll must enter the appropriate leave data in the DCPS timecard to process the pay and leave transactions required.

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<sup>15</sup> A continuous period of non-pay status is defined as LWOP at the end of the scheduled tour immediately preceding the holiday and LWOP at the beginning of the scheduled tour immediately following the holiday.

<sup>16</sup> Local Human Resources (HR) will generally code an extended leave without pay (LWOP) action when the employee is on extended military duty; this action is also referred to as "Absent – Military Service".

- Special note regarding LWOP for full-time physicians and dentists – The minimum charge for LWOP for full-time physicians and dentists will be 1 day. If no duty is performed during the administrative workweek, the employee will not be authorized any administrative non-duty days, and the entire 7 days of the workweek (Sunday through Saturday) will be charged to LWOP. If duty is performed on at least 1 or more days during the administrative workweek, any approved periods of LWOP during that same week will be charged on a day-for-day basis. Administrative non-duty days which fall wholly within a period of approved LWOP will be charged to LWOP.

**c. DCPS (Defense Civilian Pay System) Timecard Posting:** Local payroll will ensure the DCPS timecard is posted with the correct leave postings based on the VA timecard.

- The following DCPS time codes are used to record absences during military furlough status:
  - KG- Military Furlough (LWOP) – Called to Active Duty
  - LA - Annual Leave
  - LH- Holiday Excused
  - LI - Military - DC Guard (for 5 U.S.C. 6323(c) only)
  - LL- Law Enforcement Leave (for 5 U.S.C. 6323(b) only)
  - LM - Military Leave
  - LS - Sick Leave (SL regulations apply)
  - LP - Restored Annual Leave

**Special note regarding administrative non-duty days for daily (Title 38 full-time physicians/dentists) employees during military furlough status:** DCPS does not have a time code which will generate payment for a non-duty day when the employee is placed on extended LWOP for military service. As such, if the employee requests to use his or her leave entitlements during this period, local payroll must use VA workaround #61 to process payment for the non-duty days which are connected to the paid leave used (see Appendix C-5A).

**d. For the current pay period:** Once payroll processes, the employee will receive their civilian (VA) pay for the accrued leave that is posted to the DCPS timecard. Any entitlement for annual and sick leave accruals will process automatically.

**e. For an online<sup>17</sup> prior pay period:** Once local payroll receives the approved VA timecard corrections and verifies that the employee has the leave to use, local payroll will enter the changes on the DCPS timecard. Once retro processes, the employee's pay for leave used should process with the next pay cycle. Any entitlement for annual and sick leave accruals will process automatically.

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<sup>17</sup> An "Online" period is defined as within the past 26 pay periods and the DCPS timecard can be changed by VA payroll.

f. **For an offline<sup>18</sup> prior pay period:** Once local payroll receives the approved VA timecard corrections, local payroll will verify that the employee had the accrued leave available at the time of the requested changes. Local payroll will submit a *Leave* remedy ticket indicating the type of leave used, the days/hours the leave was applied to, and a copy of VA's corrected timecards, signed by the approving official, reflecting the leave changes. Local payroll must also annotate the number of annual and sick leave hours/days that would have accrued with the change to pay status (accruals for an offline period must be manually adjusted by DFAS). DFAS will process the employee's civilian (VA) pay and will adjust the leave balances for the accrued leave used.

## 2. 5 U.S.C. 6323(b) – up to 22 days (176 hours) per Calendar Year (CY)

a. **Documentation:** The employee's supervisor and/or timekeeper must maintain the employee's military leave documentation on file for six (6) years. A copy of this documentation must be forwarded to payroll for processing the 22 days of contingency leave. The employee is required to submit all military LESs covering the timeframe of the 22 days requested.

b. **VA Timecard Posting:** The VA time and attendance (T&A) timecard will be posted based on the employee's approved leave request provided the requested leave is available for use.

- If the employee requests to use the 22 days of contingency leave, **the timekeeper must post LWOP (WP) initially for the hours/days that the employee has requested.**
  - The timekeeper will await payroll's instruction prior to completing corrected timecards for any LWOP dates applied to the 22 days. Upon notice from the local payroll office, the timekeeper will submit corrected timecards changing WP to authorized absence<sup>19</sup> (AA) on the VA timecard for the corresponding days/hours; the timekeeper must type the following remark for each day: "5USC6323(b) Day # of 22 for **year**", i.e., "5USC6323(b) Day 4 of 22 for **2011**". (NOTE: *Until a new time code is established, the timekeeper will use AA to annotate this time.*)
- If the employee requests to use another type of available leave, e.g., , annual leave, restored leave, during the same pay period that the 22 days are being used, the timekeeper will post the type of leave requested on the appropriate hours/days.

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<sup>18</sup> An "Offline" period is defined as more than 26 pay periods old and the DCPS timecard is no longer accessible.

<sup>19</sup> An employee who is performing military orders cannot be paid for Authorized Absence (AA) during the dates stated on the orders. AA is used for this type of leave due to current VA timecard system limitations.

- When the employee is on extended LWOP for military service, the timekeeper will post WP on the appropriate hours/days.
  - Extended LWOP - An employee who is on extended LWOP may request to use available leave at any time during the military duty (furlough) period. Local payroll will instruct the timekeeper when to enter corrected timecards for the 22 days of contingency leave. If the electronic VA timecard is not available, then a paper timecard (VA Form 5631) must be completed and maintained on file for 6 years.
  - Special note regarding LWOP for full-time physicians and dentists – The minimum charge for LWOP for full-time physicians and dentists will be 1 day. If no duty is performed during the administrative workweek, the employee will not be authorized any administrative non-duty days, and the entire 7 days of the workweek (Sunday through Saturday) will be charged to LWOP. If duty is performed on at least 1 or more days during the administrative workweek, any approved periods of LWOP during that same week will be charged on a day-for-day basis. Administrative non-duty days which fall wholly within a period of approved LWOP will be charged to LWOP.
- If a holiday is connected to any of the 22 days of contingency leave, the timekeeper will post HX for the holiday. However, if the holiday is included within a period of continuous non-pay status, the holiday must be posted as WP. A work day which is recognized as a holiday is not counted as one of the 22 days of contingency leave entitlement.

**c. PAYROLL CURRENT PAY PERIOD PROCESSING for DCPS (Defense Civilian Pay System) Timecard:** Local payroll will ensure the DCPS timecard is posted with the correct leave postings based on the initial VA timecard.

- The initial VA and DCPS timecards MUST be posted with LWOP for military service for any hours/days which are applied to the 22 days of military leave (KG is the correct DCPS time code).
- Local payroll will follow the appropriate online or offline prior pay period instructions below to process the pay and leave entitlements.

**d. PAYROLL ONLINE PRIOR PAY PERIOD PROCESSING for DCPS (Defense Civilian Pay System) Timecard:**

**(1) VA Timecard:** Local payroll will ensure the VA timecards and corrected timecards have been posted correctly with the leave requested and certified by the leave approving official.

**(2) DCPS Timecard:** Local payroll must NOT make any changes to the DCPS timecard until DFAS instructs VA payroll to enter the changes. *NOTE: If local VA payroll enters changes to the DCPS timecard before DFAS is ready, the employee may receive full VA pay which may result in an overpayment. It is vital that the DCPS timecard changes be entered by local VA payroll during the same pay period that*



*DFAS-Indianapolis (DFAS-IN) has entered the salary offset; this is to ensure the employee receives the correct amount of pay due.*

**(3) For HOURLY employees:**

- Local payroll may use the Excel workbook provided in Appendix C-5C, Section A. This workbook is designed to provide an estimate of the difference in pay the employee will be entitled to retain, but is not required by DFAS.
- Local payroll will initiate a *Law/Contingency Leave* remedy ticket and complete the sections as shown in Appendix C-5B. Submit all documentation, i.e., military LES', VA timecards reflecting the usage of the 22 days and any holidays affected, with the remedy ticket.
- Once DFAS replies back on the remedy requesting the DCPS timecard to be updated, local payroll will enter "LL" for VA timecard "AA" postings, "LH" for VA "HX" postings", and "KG" for any remaining VA LWOP for military service postings.
- Any leave accruals and retirement benefits will process automatically after the DCPS timecard postings have been processed.

**(4) For DAILY employees:**

- Local payroll will complete the Excel workbook provided in Appendix C-5C, Section B. This workbook is designed to provide an estimate of the difference in pay the employee will be entitled to retain, and is required by DFAS. Print the "Online Adjustment Worksheet" and obtain the signature of the employee's leave approving official.
- Local payroll will submit a *Law/Contingency Leave* remedy ticket. Submit all documentation, i.e., Excel workbook for Daily employees, military LES', VA timecards reflecting the usage of the 22 days and any holidays affected, with the remedy ticket. *NOTE: Local payroll will not complete the LES or pay/hour calculation fields on the remedy ticket as the remedy ticket is designed for hourly employees.*
- **SPECIAL NOTE: The remedy ticket must include the following statement in the remarks section:** "NOTE: \*\*Please notify DFAS-IN Civilian Pay Operations\*\* -  
- Coordination will be required to issue manual payment for non-duty days when the 5 U.S.C. 6323(b) contingency leave pay is processed (VA workaround #61). Payment is due for amount of VA pay that is greater than employee's military pay and allowances for XX (number) non-duty days."
- Once DFAS replies back on the remedy requesting the DCPS timecard to be updated, local payroll will enter "LL" for VA timecard "AA" postings, "LH" for VA "HX" postings", and "KG" for any remaining VA LWOP for military service postings.
- Any leave accruals and retirement benefits will process automatically after the DCPS timecard postings have been processed.

**e. PAYROLL OFFLINE PRIOR PAY PERIOD PROCESSING** for DCPS (Defense Civilian Pay System) Timecard: Local payroll will ensure the DCPS timecard is posted with the correct leave postings based on the initial VA timecard.

**(1) VA Timecard:** Local payroll will ensure the VA timecards and corrected timecards have been posted correctly with the leave requested and certified by the leave approving official.

**(2) DCPS Timecard: Local payroll will not be able to make any changes to the DCPS timecard as it is no longer accessible.** Local payroll will need to verify if any payment was made through DCPS for the dates of the contingency leave. It is highly recommended that local payroll print the DCPS timecard screen as soon as they are aware of the request for this leave.

**(3) For HOURLY employees:**

- Local payroll may use the Excel workbook provided in Appendix C-5C, Section A. This workbook is designed to provide an estimate of the difference in pay the employee will be entitled to retain, but is not required by DFAS.
- Local payroll will initiate a *Law/Contingency Leave* remedy ticket and complete the sections as shown in Appendix C-5B. Submit all documentation, i.e., military LES, VA timecards reflecting the usage of the 22 days and any holidays affected, with the remedy ticket. A remark must be included on the remedy ticket that this is for an “offline” period.
- The remedy ticket must also include any leave accruals that the employee is entitled to for the contingency leave dates; DFAS will manually code the leave accruals into the appropriate balances.

**(4) For DAILY employees:**

- Local payroll will complete the “Offline” Daily employee workbook Excel workbook provided in Appendix C-5C. This workbook is designed to provide an estimate of the difference in pay the employee will be entitled to retain, and is required by DFAS. Print the “Offline Adjustment Worksheet” and obtain the signature of the employee’s leave approving official.
- Local payroll will submit a *Law/Contingency Leave* remedy ticket. Submit all documentation, i.e., Excel workbook for Daily employees, military LES’, VA timecards reflecting the usage of the 22 days and any holidays affected, with the remedy ticket. *NOTE: Local payroll will not complete the LES or pay/hour calculation fields on the remedy ticket as the remedy ticket is designed for hourly employees.*
- **SPECIAL NOTE: The remedy ticket must include the following statement in the remarks section:** “NOTE: \*\*Please notify DFAS-IN Civilian Pay Operations\*\* -  
- Coordination will be required to issue manual payment for non-duty days when the

5 U.S.C. 6323(b) contingency pay is processed (VA workaround #61). Payment is due for amount of VA pay that is greater than employee's military pay and allowances for XX (number) non-duty days."

- The remedy ticket must also include any leave accruals that the employee is entitled to for the contingency leave dates; DFAS will manually code the leave accruals into the appropriate balances.
- 3. 5 U.S.C. 6323(c) – Unlimited ML for DC National Guard.** Follow the same processing instructions as stated in section C.2. with the following exceptions:

- For entire section C.2:
  - Insert 5 U.S.C. 6323(c) where 5 U.S.C. 6323(b) is referenced.
  - Remove/ignore references to "22 days" and "contingency leave".
- For section C.2.b: Insert a typed remark of "DC Military Guard leave" where AA is referenced for timekeeper posting. *NOTE: Until a new time code is established, AA will be used to annotate this time.*
- For section C.2.d. and C.2.e: Insert LI (Military - DC Guard) where LL is referenced for local payroll coding on the DCPS timecard.

## D. MILITARY AND CIVILIAN (VA) PAY FOR CONTINGENCY LEAVE CALCULATIONS<sup>20</sup>

### 1. Employees with an Hourly Schedule:

**a. Civilian (VA) hourly rate of pay calculation:** Take employee's annual salary, add locality pay and/or market pay if applicable, add any additional payments which are paid on a regular basis<sup>21</sup>, i.e., retention pay, then divide by appropriate year divisor (2080, 2087, 1872, 1248, 2756<sup>22</sup>) based on employee position; the total equals the civilian (VA) hourly rate of pay.

**b. Military hourly rate of pay calculation:** Separate the military LESs in order by the month the pay is for. Add all applicable military pay and allowances for each month, then divide by number of days the military pay is for (if pay is for a full month, the divisor is 30); the result equals the *military daily rate of pay*. To obtain the military hourly rate of pay, divide the *military daily rate of pay* by 8 (normal hours in one day).

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<sup>20</sup> Refer to Appendix C-5C for examples of civilian and military pay calculations/comparisons.

<sup>21</sup> A payment made on a regular basis may be paid on a biweekly or installment basis as a dollar amount or percentage of annual pay. This type of payment will need to be calculated as an annual amount to be entered in the Excel workbooks. However, if an employee is expected to return to duty prior to a scheduled payment, i.e., a retention incentive payment paid semi-annually, to prevent duplicate payment the retention incentive must not be factored into the employee's civilian (VA) rate of pay.

<sup>22</sup> Annual divisor number is based on the employee's type of position and/or schedule: 2080 for Title 38, 2087 for Title 5, 1872 for nurses approved to work the 72/80 schedule, 1248 for Baylor Plan, and 2756 for firefighters with an uncommon tour of duty.

**c. Contingency Leave Hourly Rate of Pay Calculation:** To find the difference in pay subtract the estimated military hourly rate of pay from the civilian (VA) hourly rate of pay.

- If the civilian (VA) hourly rate of pay is greater than the estimated military hourly rate of pay, then the employee will be entitled only to the portion of VA pay that is greater than their military pay and allowances.
- If the civilian (VA) hourly rate of pay is not greater than the estimated military hourly rate of pay, then the employee earns more with the military and, as such, there is no pay difference entitlement. However, the employee is entitled to leave accruals based on the number of contingency leave days used (not to exceed 22 days per calendar year).

## **2. Employees with a Daily Schedule (Full-time Title 38 Physicians/Dentists)**

**a. Civilian (VA) daily rate of pay:** Take employee's annual salary, add market pay, and add any additional payments which are paid on a regular basis, i.e., retention pay, then divide by appropriate year divisor (364) based on employee position; total equals civilian (VA) daily rate of pay.

**b. Military daily rate of pay:** Add all applicable military pay and allowances listed on military LES, then divide by number of days the military pay is for (if pay is for a full month, the divisor is 30); the result equals the military daily rate of pay.

**c. Contingency Leave Daily Rate of Pay Calculation:** To find the difference in pay subtract the estimated military daily rate of pay from the civilian (VA) daily rate of pay.

- If the civilian (VA) daily rate of pay is greater than the military daily rate of pay, then the employee will be entitled only to the portion of VA pay that is greater than their military pay and allowances.
- If the civilian (VA) daily rate of pay is not greater than the military daily rate of pay, then the employee earns more with the military and, as such, there is no pay difference entitlement. However, the employee is entitled to leave accruals based on the number of contingency leave days used (not to exceed 22 days per calendar year).

## **E. ADDITIONAL PAYROLL PROCESSING INSTRUCTION**

**1. Lump-Sum Annual Leave Option.** An employee may elect the lump-sum annual leave payment option. To process this request, local payroll will initiate a *Leave remedy* ticket requesting the annual leave lump-sum payment. Documentation of military service and the employee's written request must be submitted with the remedy ticket. Should the employee receive the AL lump-sum payment and returns to duty before the end of the period covered by the lump-sum, the employee will be required to make

repayment for all the remaining days or hours of work covered by the lump-sum payment.

NOTE: In accordance with 5 CFR 550.114, an employee who is placed in LWOP status for military service will be paid for unused compensatory time off. DCPS will automatically process this payment when HR codes an extended LWOP for military service (nature of action (NOA) 473).

**2. Retroactive Requests.** When an employee requests leave they have accrued during their military leave (furlough) status, local payroll must process the request(s) as soon as possible thereafter. Local payroll must ensure the timekeeper posts the VA timecard appropriately. Once the corrected VA electronic timecards and/or or VA Form 5631 are certified, local payroll will enter the appropriate time codes in DCPS. DFAS will process payment during the next pay cycle.

## **F. 5 DAYS OF EXCUSED ABSENCE UPON EMPLOYEE'S RETURN TO DUTY**

Executive Order (EO) 13223 authorizes VA to grant 5 workdays of excused absence, without charge to leave, to employees who were activated for military service in connection with Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or any other military operation subsequently established under EO 13223 upon notification of their intent to return to Federal civilian employment. To qualify for the 5 days of excused absence, an employee must spend at least 42 consecutive days on active duty for a qualifying military operation and can only use this entitlement once in a 12 month period. Eligibility questions should be directed to the local HR office; additional information can be found in [OHRM Leave Flyer 09-13 - 5 Days of Authorized Absence upon Return to Duty](#)<sup>23</sup>.

### **Timecard Posting:**

1. Upon employee request and supervisory approval, the timekeeper will post authorized absence (AA) on the VA timecard for the 5 days of excused absence.

*NOTE: Until a new time code is established, AA will be used to annotate this time.*

2. Local payroll will verify that the employee is active on the DCPS master employee record (MER) screen to ensure he or she has been returned to duty. The AA posting will automatically post as the DCPS time code LN. *NOTE: If the employee is still reflected as extended LWOP for military service, HR must return the employee to duty before this entitlement can be posted in DCPS.*

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<sup>23</sup> Website link is only available within VA.

## **G. ADMINISTRATIVE CLAIMS FOR ANNUAL LEAVE AS A RESULT OF DECISION IN *BUTTERBAUGH V. DEPARTMENT OF JUSTICE***

The Office of Personnel Management's guidance affecting Title 5 employees in [OPM Memorandum CPM 2004-19](#), dated October 13, 2004, identified entitlement to restored leave for current employees and to lump sum annual leave payments to separated employees for non-duty days charged to military leave. [OHRM Leave Flyer 05-20<sup>23</sup>](#), dated June 3, 2005, identified similar entitlement extended to employees under the Title 38 Leave System who are charged and earn leave on an hourly basis in the same manner as Title 5 employees. A revision to VA Handbook 5011, dated August 12, 2005, extended this entitlement to full-time Title 38 employees who are charged and earn leave on a daily basis.

**1. Claims.** The *Butterbaugh vs. Department of Justice* decision on July 24, 2003, ruled that agencies should have allowed 15 workdays of military leave for military service rather than 15 calendar days. Claims filed with the Merit Systems Protection Board (MSPB) resulted in rulings that required recognition of claims for earlier periods. VA's Office of General Counsel has advised that related leave claims should be accepted for dates not earlier than October 1, 1980. [OHRM Leave Flyer 08-05<sup>24</sup>](#), dated February 11, 2008, revised the earliest date that claims may be filed to October 1, 1980, and included instructions to process lump-sum payment to retired and separated VA employees for approved claims.

**a.** Current, retired or separated Title 38 and Title 5 VA employees who have not returned to Federal employment with another agency may submit claims on [VA Form 0862, Claim for Credit of Annual Leave](#), for credit of military leave charged for non-duty days for dates not earlier than October 1, 1980.

**b.** Claim forms must be accompanied by documentation, such as a copy of military orders, leave and earnings statements, or time and attendance records that establish an employee's entitlement to the leave adjustment or payment.

**c.** Retired or separated employees having last served with a different Federal agency must submit claims to the Federal agency where they were last employed.

### **2. Entitlement.**

**a.** Full-time employees will be credited 1 day (8 hours) for each non-duty day charged to military leave. A maximum of 4 days (32 hours) of leave will be credited for each fiscal year.

**b.** Part-time employees' leave credit will be prorated based on prorated military leave established at the time of military service.

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<sup>24</sup> Website link is only available in VA.

- c. Current VA employees will receive credit as restored annual leave to be used no later than the leave year ending two years after the date of restoration.
- d. Separated and retired employees will receive payment as a lump sum at the rate of pay in effect at the time of their separation.

### 3. Processing.

- a. Local payroll must review claims submitted to ensure that no more than 4 days (32 hours) of annual leave are approved for each fiscal year. Employees must not receive duplicate compensation for periods already credited on prior approved claims.
- b. If information to support an employee claim is requested and can be readily obtained, local payroll office staff should provide the documentation.
- c. When required documentation is no longer available, but it can be reasonably determined that the employee was most likely charged military leave on a non-workday, leave credit should be recognized. Leave credit should not be provided when military leave charges cannot be reasonably determined. Examples can be found in the OHRM Leave Flyer 08-05 dated February 11, 2008.
- d. **For current employees:** Local payroll will submit a *Butterbaugh Claim* remedy ticket to credit restored leave to the employee's leave account. As reflected in 5 CFR 630.306, "Annual leave restored under 5 U.S.C. 6304(d) must be used no later than the leave year ending two years after the date of restoration of the annual leave forfeited because of administrative error." The restored annual leave year will be based on the date VA Form 0862 was approved.
- e. **For retired and separated employees:**

**(1) For employees who retired or separated AFTER conversion to DFAS<sup>25</sup>,** local payroll will submit a *Butterbaugh Claim* remedy ticket to credit restored leave to the employee's leave account and will include:

- A statement listing the employee's date of retirement or separation and that lump sum payment is being requested for the credited hours.
- An attachment of an amended Standard Form 1150 (SF1150) reflecting the additional days of annual leave credited for the employee's claim. If a copy of the original SF1150 is not available, the new SF1150 must be prominently marked "Supplement" and must include remarks identifying "Butterbaugh" annual leave hours or days credited by fiscal year. Do not re-state original lump sum annual

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<sup>25</sup> The date of payroll processing conversion to DFAS for each station is found in Appendix B: *Listing of Stations and Conversion Dates* in [Volume XV: Payroll, Chapter 1: Overview](#).

leave expiration detail in a supplemental document. Salary table increases occurring before expiration must apply to lump sum annual leave payment rates.

**(2) For employees who retired or separated PRIOR to conversion to DFAS** (pre-conversion to DFAS payroll processing), local payroll will submit a *Butterbaugh Claim* remedy ticket with the following attachments:

- DFAS requires the following documents, a “Hire/Fire” spreadsheet and [VA Form 5638, Pay Adjustment and Draft Payment Code Sheet](#)<sup>26</sup>, to establish the master employee record, process the lump sum annual leave payment, then process a separation.
  - A Hire/Fire Excel spreadsheet, [Figure 5C-4, Hire-Fire Workbook](#), is required by DFAS to process a payment for an employee who has never been employed or paid by DFAS. Local payroll should use the most current Hire/Fire template available.

**Figure 5C-4: Hire-Fire Workbook**



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Hire-Fire Spreadsheet

- An amended SF1150 reflecting the additional days of annual leave credited for the employee’s claim. If a copy of the original SF1150 is not available, the new SF1150 must be prominently marked “Supplement” and must include remarks identifying “Butterbaugh” annual leave hours or days credited by fiscal year. Do not re-state original lump sum annual leave expiration detail in a supplemental document. Salary table increases occurring before expiration must apply to lump sum annual leave payment rates.
- f. Payroll offices must maintain a log of new *Butterbaugh v. Department of Justice* claims identifying employees, dates, and hours or days of annual leave credited by fiscal year. Prior claim detail must be added to the log as well. Documentation must be maintained indefinitely.

**H. QUESTIONS:** Questions concerning this appendix should be directed as shown below:

VHA  
VBA  
All Others

VHA CFO Payroll Helpline (10A3A) (Outlook)  
VAVBAWAS/CO/241C/Payroll (Outlook)  
Payroll Policy (Outlook)

<sup>26</sup> Website link is only available within VA.



## APPENDIX C-5A: SPECIAL PROCESSING REQUIREMENT FOR PAYMENT OF ADMINISTRATIVE NON-DUTY DAYS FOR DAILY EMPLOYEES DURING MILITARY FURLOUGH STATUS

This appendix contains special processing requirements to generate payment for an administrative non-duty day for a daily (full-time Title 38 physician/dentist) employee who is placed on extended LWOP for military service, HR nature of action code 473, and is in pay status due to paid leave. These instructions are in accordance with the “Department of Veterans’ Affairs, DCPS Payroll Office Workarounds” dated 10/17/11.

**NOTE: If processing payment for administrative non-duty days to be paid in connection with the 22 days of contingency leave (5 U.S.C. 6323(b)), local payroll must use the processing instructions provided in sections C.2.d or C.2.e of Appendix C-5: Military Leave.**

### #61. Title 38 full-time Physicians/Dentists on Military Leave/Furlough

Full-time Title 38 Physicians/Dentists are entitled to pay on their administrative non-duty days that occur within a period of military service and during a period of pay status. An employee may be charged military and personal accrued leave only for hours that the employee would have otherwise worked and received pay. Administrative non-duty days are not charged to paid leave during military furlough even though the employee is paid for those days.

WORKAROUND: DCPS does not have a time and attendance code for the non-duty days to calculate pay when a daily (full-time Title 38 physician/dentist) employee is using paid leave during military furlough status and is coded for extended LWOP for military service.

Until further notice, VA payroll will submit a *Workaround* remedy ticket to pay any non-duty days the employee is entitled to during military furlough and is in a pay status. The remedy should be submitted as soon as possible so the employee receives the correct amount of pay and must contain the following data:

- Employee’s name
- Employee’s social security number
- Pay period ending date of military leave
- Number of non-duty days the employee is entitled to
- Daily rate due to the employee
- Total amount the employee is due

If non-duty day payments are being processed for more than one pay period, the remedy ticket must provide the number of non-duty days being paid for each pay period ending date.

NOTE: The minimum charge for LWOP for full-time Physicians and Dentists will be one day. If no duty is performed during the administrative workweek, the employee will not

be authorized any administrative non-duty days, and the entire 7 days of the workweek (Sunday through Saturday) will be charged to LWOP. If duty is performed on at least 1 or more days during the administrative workweek, any approved periods of LWOP during that same week will be charged on a day-for-day basis. Administrative non-duty days which fall wholly within a period of approved LWOP will be charged to LWOP.

**APPENDIX C-5B: LAW/CONTINGENCY LEAVE REMEDY TICKET SCREEN PRINT**

**A. FOR HOURLY EMPLOYEES:** Local payroll will complete all applicable fields of the remedy ticket detail shown below.

Law/Contingency Leave

**LAW ENFORCEMENT/CONTINGENCY OPERATION**

Military Order(s) # (see ) Note: Active duty IAW TITLE 10 UNITED STATES CODE (USC) SECTIONS 331, 332, 333, 12406, or as defined in Section 101(a)(13).

SSN of Employ

Military LES End Date1

Military LES End Date2

Military LES End Date3

Military LES End Date4

Military LES End Date5

Military LES End Date6

Note: You must enter all date(s) in this format: mm/dd/yyyy

Note: The list may not be all-inclusive. Other special rates or incentive rates may apply

a. Monthly Military Basic Pay

b. Monthly Subsistence Allow

c. Monthly Basic Allowance -

d. Monthly Other Pay

Total Monthly Mil Pay sum of

Mil Daily rate (Total/30 days)

Family Separation Allowance

Imminent Danger Pay

Hardship Duty Pay

Sea Duty Pay

Flight Pay

Hazardous Duty Incentive Pay

Monthly Medical Pay

Note: A separate remedy ticket should be prepared when Contingency Operations/Law Enforcement Leave is not used continuously or an adjustment to a prior submission is necessary.

Civ Pay Period End Date for L

Regularly Sch Biwklly wor

# of days Coded  hours per dr  -

# of days Coded  hours per dr  -

Total Number of Hours Coc

Example: Coded LL1 8 days at 9 hours per day for 72 hours and Coded LL2 1 day at 8 hours for 8 hours equals 80 Total Number of hours Coded LL.

**B. FOR DAILY EMPLOYEES:** Local payroll must submit the Excel workbook (see [Appendix C-5C, section B](#)) for daily (full-time Title 38 physicians/dentists) employees in lieu of the remedy ticket detail.

**APPENDIX C-5C: EXCEL WORKBOOKS & EXAMPLES OF 5 U.S.C. 6323(b) CALCULATIONS**

**A. HOURLY EMPLOYEES**

**1. Excel Workbook for HOURLY Employees.** Local payroll may use the Excel workbook for hourly employees to estimate the difference in pay the employee is entitled to retain. The workbook for hourly employees is optional and must not be attached to the *Law/Contingency Leave* remedy ticket. DFAS will complete their own calculations and will issue the official pay difference to the employee.

*Figure 5C-5: HOURLY Employees Excel Template*



*Figure 5C-6: Completed HOURLY Employees Workbook Example:*



**2. Example Pay Calculations for Hourly Employees**

**a. Hourly Example 1:** The following is the setting for hourly Employee 1:

- Employee is full-time Title 5
- Employee’s annual civilian (VA) salary is \$60,093.00 (base plus locality pay)
- Employee requested 5 U.S.C. 6323(b) for January 2012
- Employee’s military orders qualify for the contingency leave entitlement.
- Employee submitted 2 military LESs which cover military pay and allowances received January 1-31, 2012
- Employee did not receive any Civilian (VA) pay during this timeframe
- Employee’s normal schedule each pay period is ten 8-hour days, Monday through Friday

**Civilian (VA) Hourly rate of pay Calculation:**

|   |                |
|---|----------------|
| Total annual Civilian (VA) pay (base & locality): | \$60,093.00    |
| Annual divisor:                                   | 2,087          |
| <b>Civilian Hourly rate of pay:</b>               | <b>\$28.79</b> |

**Military Hourly rate of pay Calculation:**

|  |                |
|--|----------------|
| Total Military pay and allowances received for LES #1: | \$2,625.88     |
| Total Military pay and allowances received for LES #2: | \$2,400.88     |
| Total Military Pay received for January 1-31, 2012:    | \$5,026.76     |
| Divisor for entire month:                              | 30             |
| Military Daily rate of pay:                            | \$167.56       |
| Divide by # of normal hours in 1 day:                  | 8              |
| <b>Military Hourly rate of pay:</b>                    | <b>\$20.95</b> |

**Compare Civilian (VA) Hourly rate of pay to Military Hourly rate of pay:**

|   |               |
|---|---------------|
| Civilian (VA) Hourly rate of pay:   | \$28.79       |
| Military Hourly rate of pay:  | \$20.95       |
| <b><u>Hourly rate of pay difference:</u></b>  | <b>\$7.84</b> |
| <p><i>NOTE: If Civilian (VA) Hourly rate of pay is greater than Military Hourly rate of pay, the employee will be entitled to the <u>difference</u> of pay for hours used under 5 U.S.C. 6323(b) – not to exceed 176 hours per CY. If the Military Hourly rate of pay is greater than the Civilian Hourly rate of pay, there is no pay entitlement; however, the employee may be entitled to leave accruals for the hours they are in pay status.</i></p> |               |

The table below illustrates how to calculate an estimate of the difference of Civilian (VA) pay that is greater than the employee’s military pay and allowances for the month of January 2012. This is the amount of pay the employee is entitled to retain.

|   |                          |                 |
|---|--------------------------|-----------------|
| <b>Pay period 12-01: 72 hours</b>   | <b>72 hours x \$7.84</b> | <b>\$564.48</b> |
| PP12-01 ... 1/2/12 (8 hours) is an ‘observed’ holiday for M-F employees for 1/1/12; 9 days (72 hours) are subtracted from the 22-day (176 hours) count for CY2012 (13 days (104 hours) of the 22 days remain) |                          |                 |
| <b>Pay period 12-02: 72 hours</b>   | <b>72 hours x \$7.84</b> | <b>\$564.48</b> |
| PP12-02 ... 1/16/12 (8 hours) is an official holiday; 9 days (72 hours) are subtracted from the 22-day (176 hours) count for CY2012 (4 days (32 hours) of the 22 days remain)                                 |                          |                 |
| <b>Pay period 12-03: 16 hours</b>   | <b>16 hours x \$7.84</b> | <b>\$125.44</b> |
| PP12-03 ... 2 days (16 hours) are subtracted from the 22-day (176 hours) count for CY2012 (2 days (16 hours) of the 22 days remain)   |                          |                 |

**b. Hourly Example 2:** The following is the setting for hourly Employee 2:

- Employee is full-time Title 38
- Employee’s annual civilian (VA) salary is \$60,093.00 (base plus locality pay)
- Employee receives a biweekly retention rate of 12%
- Employee requested 5 U.S.C. 6323(b) for January 2012
- Employee’s military orders qualify for the contingency leave entitlement
- Employee also requested to use paid leave for the week of January 1-7, 2012

- Employee submitted 2 military LESs which cover military pay and allowances received January 1-31, 2012
- Employee did not receive any Civilian (VA) pay during this timeframe
- Employee’s normal schedule each pay period is eight 10-hour days, Monday through Thursday (*for this example, a 10-hour day will be referenced as “work” day*)

**Civilian (VA) Hourly rate of pay Calculation:**

|   |                |
|---|----------------|
| Annual Civilian (VA) pay (base & locality): | \$60,093.00    |
| Plus Biweekly Retention Rate of 12%:        | \$ 7,211.16    |
| Total annual Civilian (VA) pay:             | \$67,304.16    |
| Annual divisor:                             | 2,080          |
| <b>Civilian Hourly rate of pay:</b>         | <b>\$32.36</b> |

**Military Hourly rate of pay Calculation:**

|  |                |
|--|----------------|
| Total Military pay and allowances received for LES #1: | \$2,625.88     |
| Total Military pay and allowances received for LES #2: | \$2,400.88     |
| Total Military Pay received for January 1-31, 2012:    | \$5,026.76     |
| Divisor for entire month:                              | 30             |
| Military Daily rate of pay:                            | \$167.56       |
| Divide by # of normal hours in 1 day:                  | 8              |
| <b>Military Hourly rate of pay:</b>                    | <b>\$20.95</b> |

**Compare Civilian (VA) Hourly rate of pay to Military Hourly rate of pay:**

|   |                |
|---|----------------|
| Civilian (VA) Hourly rate of pay:   | \$32.36        |
| Military Hourly rate of pay:  | \$20.95        |
| <b>Hourly rate of pay difference:</b>   | <b>\$11.41</b> |
| <i>NOTE: If Civilian Hourly rate of pay is greater than Military Hourly rate of pay, the employee will be entitled to the <u>difference</u> of pay for hours used under 5 U.S.C. 6323(b) – not to exceed 176 hours per CY. If the Military Hourly rate of pay is greater than the Civilian Hourly rate of pay, there is no pay entitlement; however, the employee may be entitled to leave accruals for the hours they are in pay status.</i> |                |

The table below illustrates how to calculate an estimate of the difference of Civilian (VA) pay that is greater than the employee’s military pay and allowances for the month of January 2012. This is the amount of pay the employee is entitled to retain.

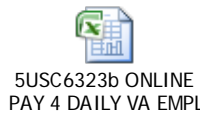
|   |                           |                 |
|---|---------------------------|-----------------|
| <b>Pay period 12-01: 40 hours</b>   | <b>40 hours x \$11.41</b> | <b>\$456.40</b> |
| PP12-01 ... Week 1 has paid leave used, week 2 has 4 10-hour work days (40 hours) subtracted from the 22-day (176 hours) count for CY2012 (17 work days (136 hours) of the 22 days remain)          |                           |                 |
| <b>Pay period 12-02: 70 hours</b>   | <b>70 hours x \$11.41</b> | <b>\$798.70</b> |
| PP12-02 ... 1/16/12 (10 hours) is an official holiday; 7 10-hour work days (70 hours) are subtracted from the 22-day (176 hours) count for CY2012 (8.25 work days (66 hours) of the 22 days remain) |                           |                 |

|  |                           |                 |
|--|---------------------------|-----------------|
| <b>Pay period 12-03: 20 hours</b>  | <b>20 hours x \$11.41</b> | <b>\$228.20</b> |
| PP12-03 ... 2 <u>10-hour work</u> days (20 hours) are subtracted from the 22-day (176 hours) count for CY2012 (5.75 <u>work</u> days (46 hours) of the 22 days remain) |                           |                 |

## B. DAILY EMPLOYEES (Full-time Title 38 Physicians/Dentists)

1. **Excel Workbook for DAILY Employees.** Local payroll **must** use the Excel workbook for daily employees and this workbook **must be** attached to the *Law/Contingency Leave* remedy ticket in order for DFAS to process payment for the 22-days contingency leave. The workbook will provide an estimate of the difference in pay the employee is entitled to retain. DFAS will complete their own calculations and will issue the official pay difference to the employee.

**Figure 5C-7: Online Excel Template: Daily Employees**



**Figure 5C-8: Offline Excel Template: Daily Employees**



**Figure 5C-9: Completed Workbook Example: Daily Employees**



## 2. Example Pay Calculations for Daily Employees

a. **Daily Example 1:** The following is the setting for daily Employee 1:

- Employee is full-time Title 38 Physician
- Employee's annual civilian (VA) salary is \$246,414.00 (base plus market pay)
- Employee requested 5 U.S.C. 6323(b) for January 2012
- Employee's military orders qualify for the contingency leave entitlement
- Employee submitted 3 military LESs which cover military pay and allowances received January 1-31, 2012
- Employee did not receive any Civilian (VA) pay during this timeframe

- Employee's normal schedule is 10 duty days and 4 administrative non-duty days

**Civilian (VA) Daily rate of pay Calculation:**

|   |                 |
|---|-----------------|
| Total annual Civilian (VA) pay (base & market): | \$246,414.00    |
| Annual divisor:                                 | 364             |
| <b>Civilian Daily rate of pay:</b>              | <b>\$676.96</b> |

**Military Daily rate of pay Calculation:**

|  |                 |
|--|-----------------|
| Total Military pay and allowances received for LES #1:   | \$5,604.78      |
| Total Military pay and allowances received for LES #2:   | \$5,604.78      |
| Total Military pay and allowances received for LES #3: (3 <sup>rd</sup> LES was an allowance paid in February but received for the January 1-31 timeframe) | \$3,666.66      |
| Total Military Pay received for January 1-31, 2012:  | \$14,876.22     |
| Divisor for entire month:  | 30              |
| <b>Military Daily rate of pay:</b>   | <b>\$495.87</b> |

**Compare Civilian (VA) Daily rate of pay to Military Daily rate of pay:**

|  |                 |
|--|-----------------|
| Civilian (VA) Daily rate of pay:   | \$676.96        |
| Military Daily rate of pay:  | \$495.87        |
| <b><u>Daily rate of pay difference:</u></b>  | <b>\$181.09</b> |
| <i>NOTE: If Civilian Daily rate of pay is greater than Military Daily rate of pay, the employee will be entitled to the difference of pay for days used under 5 U.S.C. 6323(b) – not to exceed 22 duty days per CY. If the Military Daily rate of pay is greater than the Civilian Daily rate of pay, there is no pay entitlement; however, the employee may be entitled to leave accruals for the hours they are in pay status.</i> |                 |

The table below illustrates how to calculate an estimate of the difference of Civilian (VA) pay that is greater than the employee's military pay and allowances for the month of January 2012. This is the amount of pay the employee is entitled to retain.

|  |                           |                  |
|--|---------------------------|------------------|
| <b>Pay period 12-01: 9 duty days &amp; 4 non-duty days</b>   | <b>13 days x \$181.09</b> | <b>\$2354.17</b> |
| PP12-01 ... 1/2/12 (1 day) is an 'observed' holiday for M-F employees for 1/1/12; 9 duty days are subtracted from the 22-day count for CY2012 (13 days of the 22 days remain)  |                           |                  |
| <b>Pay period 12-02: 9 duty days &amp; 4 non-duty days</b>   | <b>13 days x \$181.09</b> | <b>\$2354.17</b> |
| PP12-02 ... 1/16/12 (1 day) is an official holiday; 9 duty days are subtracted from the 22-day count for CY2012 (4 days of the 22 days remain)   |                           |                  |
| <b>Pay period 12-03: 2 duty days &amp; 1 non-duty day</b>  | <b>3 days x \$181.09</b>  | <b>\$543.27</b>  |
| PP12-03 ... the employee was in pay status in PP12-02 & for 2 duty days at the beginning of PP12-03 (the remainder of the PP12-03 is LWOP; as such, the non-duty day (1/29/12) will be paid; 2 days are subtracted from the 22-day count for CY2012 (2 days of the 22 days remain) |                           |                  |



**b. Daily Example 2:** The following is the setting for daily Employee 2:

- Employee is full-time Title 38 Physician
- Employee's annual civilian (VA) salary is \$246,414.00 (base plus market pay)
- Employee receives a biweekly retention rate of 15%
- Employee requested 5 U.S.C. 6323(b) for January 2012
- Employee's military orders qualify for the contingency leave entitlement
- The employee also requested to use paid leave the week of January 1-7, 2012
- Employee submitted 3 military LESs which cover military pay and allowances received January 1-31, 2012
- Employee did not receive any Civilian (VA) pay during this timeframe
- Employee's normal schedule is 10 duty days and 4 administrative non-duty days

**Civilian (VA) Daily rate of pay Calculation:**

|   |                 |
|---|-----------------|
| Annual Civilian (VA) pay (base & market): | \$246,414.00    |
| Plus Biweekly Retention Rate of 15%:      | \$ 36,962.10    |
| Total annual pay:                         | \$283,376.10    |
| Annual divisor:                           | 364             |
| <b>Civilian Daily rate of pay:</b>        | <b>\$778.51</b> |

**Military Daily rate of pay Calculation:**

|   |                 |
|---|-----------------|
| Total Military pay and allowances received for LES #1:  | \$5,604.78      |
| Total Military pay and allowances received for LES #2:  | \$5,604.78      |
| Total Military pay and allowances received for LES #3:<br><i>(3<sup>rd</sup> LES was an allowance paid in February but received for the January 1-31 timeframe)</i> | \$3,666.66      |
| Total Military Pay received for January 1-31, 2012:   | \$14,876.22     |
| Divisor for entire month:   | 30              |
| <b>Military Daily rate of pay:</b>  | <b>\$495.87</b> |

**Compare Civilian (VA) Daily rate of pay to Military Daily rate of pay:**

|   |                 |
|---|-----------------|
| Civilian (VA) Daily rate of pay:            | \$778.51        |
| Military Daily rate of pay:                 | \$495.87        |
| <b><u>Daily rate of pay difference:</u></b> | <b>\$282.64</b> |

*NOTE: If Civilian Daily rate of pay is greater than Military Daily rate of pay, the employee will be entitled to the difference of pay for days used under 5 U.S.C. 6323(b) – not to exceed 22 duty days per CY. If the Military Daily rate of pay is greater than the Civilian Daily rate of pay, there is no pay entitlement; however, the employee may be entitled to leave accruals for the hours they are in pay status.*

The table below illustrates how to calculate an estimate of the difference of Civilian (VA) pay that is greater than the employee's military pay and allowances for the month of January 2012. This is the amount of pay the employee is entitled to retain.

|  |                           |                   |
|--|---------------------------|-------------------|
| <b>Pay period 12-01: 5 duty days &amp; 2 non-duty days</b>   | <b>7 days x \$282.64</b>  | <b>\$1,978.48</b> |
| PP12-01 ... Week 1 has paid leave used for 5 duty days, week 2 has 5 duty days subtracted from the 22-day count for CY2012 (17 days of the 22 days remain)   |                           |                   |
| <b>Pay period 12-02: 9 duty days &amp; 4 non-duty days</b>   | <b>13 days x \$282.64</b> | <b>\$3,674.32</b> |
| PP12-02 ... 1/16/12 (1 day) is an official holiday for M-F employees; 9 days are subtracted from the 22-day count for CY2012 (8 days of the 22 days remain)  |                           |                   |
| <b>Pay period 12-03: 2 duty days &amp; 1 non-duty day</b>  | <b>3 days x \$282.64</b>  | <b>\$847.92</b>   |
| PP12-03 ... the employee was in pay status in PP12-02 & for 2 duty days at the beginning of PP12-03 (the remainder of the PP12-03 is LWOP; as such, the non-duty day (1/29/12) will be paid; 2 days are subtracted from the 22-day count for CY2012 (6 days of the 22 days remain) |                           |                   |

**APPENDIX C-6: OFFICE OF WORKERS COMPENSATION PROGRAM (OWCP)**

This appendix is under development.

**APPENDIX C-7: SICK LEAVE**

This appendix is under development.

**APPENDIX C-8: VOLUNTARY LEAVE TRANSFER PROGRAM**

This appendix is under development.

**APPENDIX C-9: OTHER PAID LEAVE**

This appendix is under development.

## APPENDIX C-10: SF 1150, RECORD OF LEAVE DATA

### Overview

The Office of Personnel Management (OPM) has the over-all responsibility for administration of leave under 5 U.S.C. Chapter 63. Leave for VA employees is subject to OPM guidance in 5 CFR Part 630 as well as VA guidance in VA Handbook 5011, *Hours of Duty and Leave*. VA's payroll provider routinely completes a form in lieu of the Standard Form (SF) 1150, *Record of Leave Data*, certifying leave balances upon employee separation or transfer between Federal agencies.

Only for separation events or adjustment to leave for periods prior to conversion to DFAS processing VA payroll, VA payroll offices shall certify leave data using the [Standard Form \(SF\) 1150](#) or a similar version of the SF 1150 in [Figure 5C- 10: SF 1150 Template](#) below. The SF 1150, *Excel Template for VA*, includes a tab for calculating days vs. hours.

#### **Figure 5C-10: SF 1150 Template**



Do not use this certification process to alter or supplement information on a record of leave data produced by DFAS for a VA separation processed in the Defense Civilian Pay System.

### **A. Preparation of SF 1150:**

Numbered descriptions below correspond with numbered items on the face of SF 1150. For only full-time physicians using leave in whole day increments instead of hours, a separate spreadsheet is available for which all reference to “hours” in the descriptions below should be recognized as “days”.

1. Enter the employee name exactly as provided on the employee Master Record in VA's Personnel and Accounting Integrated Data (PAID) system in the format noted on the form.
2. Enter the employee's full Social Security Number (SSN).
3. Facility optional use is allowed.
4. Data must match the Nature of Action (NOA) code description and effective date on the SF 50, *Notification of Personnel Action*, effecting separation or transfer.
5. Check “No” in section 5A if the employee leave balance is unaffected by overseas maximum annual leave accumulation. Otherwise check “Yes” in 5A and add additional information required under 5B and 5C. Note similar data in box 24 for prior transfer between different leave systems (Title 38 to Title 5, or Full-time

physician to part-time) requiring maintenance of a leave ceiling in excess of the ceiling normal for the leave system upon separation.

6. Enter years, months, and days of service if less than 15 years. Payroll does **not** calculate the Service Computation Date or adjust the time in a VA appointment for periods of leave without pay for the purposes of entry in box 6 of the SF 1150. Normal calculation requires subtraction of the VA Enter on Duty (EOD) Date from the separation date. Do not include service in an intermittent appointment in service credit for leave. Add together leave earning periods separated by intermittent service if necessary, calculating the length of each as described below. The information in [Figure 1 - OPM Guide to Processing Personnel Actions Chapter 6, Creditable Service for Leave Accruals Excerpt](#) is intended to support payroll calculation of time in a VA appointment upon separation.

**Figure 1 - OPM Guide to Processing Personnel Actions Chapter 6, Creditable Service for Leave Accruals Excerpt**

**Subchapter 2-5. Computing the Service Computation Date-Leave.**

**a. General.**

(1) Service Computation Date-Leave calculations are based on a 360 day year, that is, 12 months of 30 days each. Calculations based on a 365 day year may yield different results.

(2) Dates are added and subtracted in day, month, year order. Borrowing is based on the 360 day year, with 30 days equal to a month, and 12 months equal to a year. The example below shows how to subtract December 23, 1994 from April 15, 1996.

**Step 1:** Subtract days. Since 23 is larger than 15, borrow 1 month to add 30 days to the 15. Even though March has 31 days, in borrowing each month is treated as 30 days.

|        |    |    |    |  |
|--------|----|----|----|--|
|        | 03 | 45 |    |  |
| 1996   | 04 | 15 |    |  |
| - 1994 |    | 12 | 23 |  |
|        |    |    |    |  |
|        |    | 22 |    |  |

**Step 2:** Subtract months. Since 12 is larger than 3, borrow 1 year to add 12 months to the 3.

|        |    |    |    |  |
|--------|----|----|----|--|
| 1995   |    | 15 |    |  |
|        | 03 | 45 |    |  |
| 1996   |    | 04 | 15 |  |
| - 1994 |    | 12 | 23 |  |
|        |    |    |    |  |
|        | 03 | 22 |    |  |



**Step 3:** Subtract years.

|                 |               |               |  |
|-----------------|---------------|---------------|--|
| 1995            | 15            |               |  |
|                 | 03            | 45            |  |
| <del>1996</del> | <del>04</del> | <del>15</del> |  |
| <u>- 1994</u>   | <u>12</u>     | <u>23</u>     |  |
| 1               | 03            | 22            |  |

**Result** is 1 year, 3 months, 22 days.

7. Enter the ending date of the prior leave year and balances of annual, sick, and restored leave brought forward to the current leave year.
8. Enter the date through which leave was credited and amount of annual and sick leave earned and credited since the beginning of the current leave year.
9. Enter the sum of prior year balances plus current year accrual.
10. Enter reduction in annual and sick leave credits caused by full-time employee absences in LWOP status. If applicable add annual leave hours donated under the Leave Transfer Program (LTP) and subtract annual leave hours used as an approved recipient under the LTP, noting additional summary information on LTP adjustments in box #24. If none, enter "0".
11. Enter the number of hours of annual leave and sick leave taken during the current year through the date of separation or transfer as shown in item 4.
12. Subtract from line 9 the amounts on lines 10 and 11 within each column.
13. Enter hours representing lump sum payment.
14. Enter the salary rate(s) at which the lump-sum annual leave payment was computed. Include detail of post differential or COLA paid if applicable. If more than one salary rate was involved, state the number of hours computed at each rate. Use box 24 for overflow data.
15. Enter the inclusive calendar dates and the number of hours of annual leave on dates included in the lump-sum leave period.
16. Enter the number of hours of absence in LWOP status during the leave year in which separated.
17. Enter the beginning date of the waiting period for next step increase and total hours of LWOP since the waiting period began.
18. If not applicable, leave items 18 through 22 blank except for "0" on line 20 for the current home leave balance in days. Enter the date of arrival abroad for home leave purposes and date of completion of the basic service period.
19. Enter the date the current 12-month home leave accrual period began and the number of LWOP hours charged during the current period.
20. Enter the date through which home leave was credited and the current balance of days of leave earned.
21. Enter the rate of accrual for each 12 months of service abroad.
22. Enter the dates on which home leave was used during the prior 24 months.
23. Enter inclusive dates of regular military leave (under 5 USC 6323(a)) taken during the current year and the dates of special military leave (under 5 USC 6323(b to d, aka law enforcement or contingency leave) taken during the current calendar year.

24. Note supplemental information for items above and briefly include other information applicable including, but not limited to, the following:

- Irregular tour/schedule information applicable if LSAL is paid
- Unused military leave
- A point of contact for update on debt for separation with a negative leave balance
- Beginning and ending dates of an employee's 12-month period of leave used invoking Family and Medical Leave Act (FMLA) entitlement if that period remains open upon separation
- Intermittent hours worked in the current year (Note sick leave credit in boxes 7 through 12 if applicable if the form is completed for an intermittent employee with prior service in a leave earning status).
- Note and/or attach compensatory time for travel hours unused upon separation or transfer, along with expiration dates.
- Frozen leave days unused or paid upon separation to full-time physicians unless reporting leave data for a separation prior to January 8, 2006
- For full-time physician conversion to an hourly position show annual leave and sick leave hours upon separation under Title 5 authority (Days x 8 hours x 5/7 Ref. 5 CFR 630.501-502) and under Title 38 authority (at 8 hours per day). For separation prior to January 8, 2006 all conversion from days to hours requires the conversion formula noted for Title 5 authority; remove automated display of Title 38 hours.

25. The signature required is that of a payroll supervisor or higher level officer in the facility service responsible for the *payroll/employee accounts* function.

26. Include all information as listed.

Enter the date the SF 1150 was signed. Also note at the top of the form if it is a revised or supplemental form, and the date of the earlier document(s) for the same separation event.

**APPENDIX D: PART-TIME PHYSICIANS ON ADJUSTABLE WORK SCHEDULES**

This appendix is under development.