



DEPARTMENT OF THE ARMY  
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-1  
CIVILIAN HUMAN RESOURCES AGENCY  
SOUTH CENTRAL REGION  
CIVILIAN PERSONNEL ADVISORY CENTER, FORT LEE  
700 QUARTERS ROAD, SUITE 133  
FORT LEE, VIRGINIA 23801-1703

REPLY TO  
ATTENTION OF

PECH-SCR-T

FORT LEE POLICY NO. 06-06  
22 July 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Voluntary Leave Transfer Program

1. **References.**

- a. 5 CFR 630, Subpart I, Voluntary Leave Transfer Program
- b. United States Code, Title 5, Chapter 63, sections 6381 through 6387
- c. Code of Federal Regulation, Title 5, part 630, subpart I
- d. AR 690-990-2, Book 630 – Hour of Duty, Pay and Leave Annotated
- e. Department of the Army Memorandum, Subject: Army Civilian Voluntary Leave Transfer Program – Waiving the Limitation on Donating Annual Leave, dated 3 March 2006.

2. **Purpose.** To set forth guidance and procedures for the Voluntary Leave Transfer Program (VLTP) under which the unused accrued annual leave of an employee may be transferred for use by another employee due to a medical emergency.

3. **Scope.** This policy applies to all activities serviced by the Fort Lee Civilian Personnel Advisory Center (CPAC).

4. **Policy.** The voluntary leave transfer program allows for the voluntary transfer of unused accrued annual leave to provide income protection to employees affected by a medical emergency. Participation in this program is strictly voluntary. A supervisor may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other employee for the purpose of interfering with any right such an employee may have with respect to donating, receiving, or using annual leave under the provision of this policy.

## 5. Definitions.

a. **Available Paid Leave**—accrued, accumulated, recredited, or restored annual or sick leave. Available paid leave does not include annual or sick leave advanced to an employee or any annual or sick leave accrued that has not been transferred to the employee's regular leave account.

b. **Family Member**—any of the following relatives of the employee:

(1) Spouse, and parents thereof;

(2) Children, including adopted children, and spouses thereof;

(3) Parents;

(4) Brothers and sisters, and spouses thereof; and

(5) Any person related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

c. **Leave Donor**—an employee whose voluntary written request for transfer of annual leave to the annual leave account of a leave recipient is approved by his or her own employing agency.

d. **Leave Recipient**—a current employee for whose application to receive annual leave from the annual leave accounts of one or more donors has been authorized by the agency.

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e. **Medical Emergency**—a medical condition of an employee or a family member of such employee that is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave.

f. **Paid Leave Status**—the administrative status of an employee while the employee is using annual or sick leave accrued or accumulated.

g. **Set-Aside Accounts**—the annual and sick leave that an employee can accrue while using donated leave. The leave is maintained separately from the employee's regular leave account.

h. **Shared Leave Status**—the administrative status of an employee while the employee is using transferred leave.

i. **Substantial Loss of Income**—at least 24 hours without available paid leave (or the anticipation of), or, in the case of part-time employees or those working an



uncommon tour, at least 30 percent of the average number of hours worked in the employee's biweekly scheduled tour. Advanced leave is not to be regarded as available paid leave for purposes of making the substantial loss of income determination.

## **6. Eligibility.**

a. To become an approved participant in the VLTP, an employee must meet all three of the following conditions:

(1) Have a medical emergency (including a medical emergency affecting a family member) that is likely to require prolonged absence from work and result in a substantial loss of income because of the unavailability of paid leave; and

(2) Have exhausted all available sick and annual leave and be facing at least three days without available paid leave due to medical emergency; and

(3) Provide medical documentation to substantiate the medical emergency.

## **7. General Information/Guidelines.**

a. Use of Transferred Annual Leave.

(1) The approval and use of transferred annual leave is subject to the same conditions and requirements for requesting leave.

(2) A leave recipient may use the annual leave transferred to his or her account only for the purpose of a medical emergency for which the leave recipient is approved.

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(3) Transferred annual leave may be substituted retroactively for periods of LWOP or used to liquidate indebtedness for advanced annual or sick leave granted on or after the date designated by the activity head/commander or designee at the beginning of the medical emergency.

b. Accrual of annual and sick leave.

(1) While the leave recipient is in a shared leave status, he/she accrues annual leave and sick leave at the same rate as if he/she were in a paid leave status except the maximum amount of annual leave and sick leave accrued is limited to 40 hours of each, or in the case of a part-time employee, the average number of hours of work in the employee's weekly work schedule.

(2) Annual leave and sick leave accrued by a leave recipient shall be credited to a special leave account, and that leave will be available for use:

a. At the beginning of the first pay period beginning on or after the date on which the leave recipient's medical emergency terminates; or,

b. Once the leave recipient has exhausted all transferred leave, but before the medical emergency is terminated.

(3) Leave recipients may use their set aside leave, even if they have not reached the 40 hour maximum when they have temporarily exhausted donated leave. Leave recipients will continue to accrue the set aside leave up to the 40 hour maximum. However, once the leave recipient's maximum set aside accounts are emptied, leave accruals may not be set aside in any amount for the same emergency again.

#### **8. Limitations on Leave Donations.**

a. The annual leave donated must be accrued and available at the date of donation.

b. In any one leave year, a leave donor may donate no more than a total of one-half of the amount of annual leave he or she would be entitled to accrue during the leave year in which the donation is made. For example, a leave donor who earns 104 hours in a leave year can donate no more than 52 hours in a leave year.

c. In the case of a leave donor who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year ("use or lose"), the maximum amount of annual leave that may be donated during the leave year shall be the lesser of:

(1) One-half of the amount of annual leave he or she would be entitled to accrue during the leave year in which the donation is made; or

(2) The number of hours remaining in the leave year (as of the date of the transfer) for which the leave donor is scheduled to work and receive pay.

For example, Jane Doe earns 208 hours of annual leave in a leave year. One-half of that is 104 hours. The hypothetical leave year ends 31 December. On 7 December, Jane schedules 40 hours annual leave for the Christmas holiday. At the same time, she submits a request to donate annual leave. There are 17 work days between 7 and 31 December (136 hours); however, with Jane's scheduled leave, she is only scheduled to work 12 of those days (96 hours). Therefore, Jane can only donate 96 hours, since it is the lesser amount.

d. Waiving the Limitations on Donating Annual Leave. In unusual circumstances, a leave donor may receive a waiver of the donation limitation. Waivers are made on a case-by-case basis. Donors should submit any request for a waiver, in writing, through their immediate supervisor to the approving official, normally the donor's second line



supervisor. The approving official will provide a written notice of approval to the leave donor. The following criteria will be used to consider waiver requests:

(1) If an insufficient amount of leave has been donated to a leave recipient, a leave donor may donate over the limited amount.

(2) An eligible family member may donate above the allowable limit of leave.

e. Restoration of Transferred Annual Leave. A decision to transfer leave is not revocable. If a sufficient balance of unused donated leave remains after the leave recipient's medical emergency has terminated, the leave donor may elect to have a prorated share returned during either the current leave year or the following leave year, or may elect to donate the pro-rated share to another leave recipient.

f. Prohibitions.

(1) Transferred annual leave may not be:

- a. Used for a personal day of leave,
- b. Included in a lump-sum payment,
- c. Made available for recredit upon reemployment of a donor or leave recipient with a Federal agency,
- d. Donated in increments of less than whole hours, or
- e. Donated to an immediate supervisor.

(2) An employee may not directly or indirectly intimidate, threaten, or coerce any other employee for the purpose of interfering with any right such employee may have with respect to donating, receiving, or using annual leave.

## **9. Application to Become a Leave Recipient.**

a. Leave Recipient or Personal Representative.

(1) An employee who has been affected by a medical emergency may request to become a leave recipient. If an employee is unable to submit the request, a personal representative of the potential leave recipient may submit the written application on his/her behalf.

(2) Submit OPM 630, Application to Become a Leave Recipient under the Voluntary Leave Transfer Program. This form can be found at the following link: [www.opm.gov/forms/pdf\\_fill/opm630.pdf](http://www.opm.gov/forms/pdf_fill/opm630.pdf). The application will be submitted through the

employee's supervisor for approval. The following information must accompany the application:

- (a) Name, position title, and grade of potential leave recipient.
  - (b) The reason why transferred leave is needed, to include a brief description of the nature, severity, and anticipated duration. If the medical emergency is recurring, annotate the approximate frequency of the recurrence.
  - (c) Certification from one or more physicians, or other appropriate experts, with respect to the medical emergency. A potential leave recipient will not be required to pay for obtaining more than one certification.
- (3) Application to become a leave recipient may be filed after the medical emergency has terminated; however, such application must be submitted to the applicant's immediate supervisor no later than 30 calendar days after the medical emergency has terminated.
- (4) Notify the supervisor in writing once the medical emergency ends. Leave requested may include up to 30 days after the medical emergency ends.

**b. Army Wide Solicitation.**

(1) Approved leave recipients meeting any of the conditions described below are eligible for Army-wide solicitation of leave:

- (a) Army civilian employees who become ill, contract diseases, or are injured or wounded while deployed to an area for which danger pay is authorized in direct support of a US military contingency operation, including stability and reconstruction efforts (such as the United Nations Interim Administration Mission in Kosovo);
- (b) Family members who become ill, contract diseases, or are injured or wounded while deployed to an area for which danger pay is authorized in direct support of a US military contingency operation, including stability and reconstruction efforts (such as the United Nations Interim Administrative mission in Kosovo);
- (c) The employee's medical emergency is a result of hostile action caused by an enemy of the United States (such as the events that occurred on September 11, 2001); or
- (d) The family member's medical emergency is a result of hostile action caused by an enemy of the United States (such as the events that occurred on September 11, 2001).



(2) Request for Army wide solicitation must be coordinated through the VLTP Coordinator of the Fort Lee Civilian Personnel Advisory Center (CPAC). The VLTP Coordinator shall review and send the request for donated leave to the Civilian Human Resources Agency (CHRA) headquarters for Army-wide distribution.

(3) Upon review, CHRA headquarters will forward the approved leave donation request to the other CHRA Regional Directors, who will in turn forward it to the appropriate CPAC Chief. All CPACs receiving the solicitation from CHRA will solicit donors from the leave recipient's CPAC.

(4) Leave required may include up to 30 days after the medical emergency ends.

(5) Solicitation requests for distribution Army-wide by CHRA should not contain identifiable information. A sample of how such a request should be written is as follows:

*An employee at Fort Lee has been approved as a voluntary leave transfer program recipient under 5 CFR 630.904. This solicitation is being distributed Army-wide because it meets the conditions resulting from deployment to an area for which danger pay is authorized in direct support of a US military contingency operation, including stability and reconstruction efforts where:*

*a. The employee or family member became ill, contracted a disease, or was injured or wounded during deployment; or*

*b. The employee or their family member's medical emergency resulted from hostile action caused by an enemy of the United States of America.*

*Employees interested in donating leave to this recipient should complete OPM Form 630-A, Request to Donate Leave to Leave Recipient under the Voluntary Leave Transfer Program. A copy of this form may be found at [www.opm.gov/forms/pdf\\_fill/opm630a.pdf](http://www.opm.gov/forms/pdf_fill/opm630a.pdf). Upon completion of this form, please forward a copy to the VLTP Program Coordinator. Questions should be directed to the VLTP Coordinator. Thank you.*

(6) If the medical emergency requires additional leave, the leave recipient may request additional Army-wide solicitations.

(7) Leave may not exceed 90 days without a follow-up appointment.

**c. Supervisor.**

(1) Consistent with the responsibility for leave approval, review the potential leave recipient's application to ensure that:

a. A medical emergency exists.

b. The substantial loss of income criterion of eligibility has been met or will be met by the time donated leave might be available.

c. The medical certification is attached and complete.

d. The amount of time which the employee wishes covered by leave donations is consistent with the absence which the health care provider says is required.

(2) Determine that the employee's non-pay (LWOP) status will be, or is expected to be, at least 24 hours, and recommend approval or disapproval. The supervisor should confer with the VLTP Coordinator.

(3) Forward the application, with all supporting documentation, to the approving official, normally the employee's second line supervisor, within two working days.

(4) Within five days of receiving an approved request from the approving official, publish an article via email announcing that the employee has been approved as a leave recipient. The article should include the name, describe the medical emergency in general terms, and provide guidance on how to donate leave (dependent upon the employee's wishes as stated in Block 14 of the OPM 630).

(5) Monitor the status of the leave recipient during the medical emergency.

(6) Once received, provide a copy of the employee's written notification that the medical emergency has ended to the VLTP Coordinator.

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**d. Approving Official.**

(1) Approve or disapprove the application to become a leave recipient within 10 calendar days of receipt.

(2) If approved, notify the supervisor of the approval and forward the application and supporting documentation to the VLTP Coordinator.

(3) If disapproved, provide written notification to the employee stating the reason for denial and forward a copy to the VLTP Coordinator.

**e. VLTP Coordinator.**

(1) Provides advice and assistance to supervisors and employees concerning matters relating to leave transfer policies, laws, and regulations.

(2) Provides the OPM 630 to the CSR.



(3) Ensures donated leave does not exceed limitations or that appropriate waiver is documented.

(4) Ensures leave is not donated to an employee's immediate supervisor.

(5) Maintains a complete case file on each leave recipient.

(6) Maintain database of approved leave recipients.

(7) Publish leave recipient information in the periodic CPAC newsletter in accordance with the wishes of the leave recipient.

**f. Customer Service Representative.**

(1) Enroll the employee in the Voluntary Leave Transfer Program through the Defense Civilian Payroll System (DCPS).

(2) Maintains separate leave account of leave donated to an approved recipient.

(3) Maintains record of leave transferred by individual donors.

(4) In conjunction with CPAC, maintains records to ensure that the number of leave recipients, number of leave donors, costs, hours transferred, and hours used are documented and readily available.

(5) Is the primary channel for reporting on program usage in response to higher authority requests for data, i.e., Headquarters, DA, Office of Personnel Management (OPM), etc.

(6) Restores transferred leave to donors upon termination of the medical emergency.

**10. Application to Become a Leave Donor.**

**a. Leave Donor.**

(1) Employees wishing to donate leave within their agency must complete the OPM 630-A, Request to Donate Annual Leave to Leave Recipient under the Voluntary Leave Transfer Program within the Agency. This form can be found at the following link: [www.opm.gov/forms/pdf\\_fill/opm630a.pdf](http://www.opm.gov/forms/pdf_fill/opm630a.pdf).

(2) Employees wishing to donate leave to outside of their agency must complete the OPM 630-B, Request to Donate Annual Leave to Leave Recipient under the Voluntary Leave Transfer Program Outside of the Agency. This form can be found at

the following link: [www.opm.gov/forms/pdf\\_fill/opm630b.pdf](http://www.opm.gov/forms/pdf_fill/opm630b.pdf). This form must be submitted to the local CSR and must contain the point of contact name, telephone, and fax number at the gaining activity.

(3) Submit the request to donate leave to your immediate supervisor for approval.

**b. Supervisor.**

(1) Review donor's application to ensure the donor's application is complete, signed, and dated.

(2) Forward the donor's application to the VLTP Coordinator for processing.

(3) Forward requests for waiver of leave donation limitations along with a recommendation and the OPM 630-A or OPM 630-B to the donor's second line supervisor for approval.

a. Any waiver must be in writing and must provide a description of circumstances justifying the waiver.

b. Waivers should only be granted when there are very compelling and/or exceptional circumstances, to be considered on a case-by-case basis.

c. When the waiver is granted, the donor must have at least 16 hours remaining after the proposed donation.

d. Waivers are not to be granted solely to avoid the forfeiture of annual leave.

**c. Approving Official**

(1) Approve or disapprove request for waiver.

(2) Forward approved waivers along with the request to donate leave to the CSR. A copy of the waiver must also be provided to the VLTP Coordinator, Lisa Sholar.

**d. VLTP Coordinator.**

(1) Publish cut-off dates for leave donations using the CPAC Administrative Point of Contact distribution list, on CPAC Web page, and through the CPAC newsletter.

(2) Maintain copies of waivers to satisfy reporting requirements.



**e. Customer Service Representative.**

(1) Receive any donor forms and determine that:

a. The donor has sufficient leave, including restored annual leave previously forfeited, to make the donation.

b. Limitations have been observed, unless a waiver has been approved.

(2) Process the leave donor application form into DCPS.

(3) Maintain documentation pertaining to leave donations, waivers, etc.

**11. Termination of medical emergency.**

a. The medical emergency affecting the leave recipient shall terminate—

(1) When the leave recipient's Federal service is terminated;

(2) At the end of the biweekly pay period when the supervisor receives written notice from the leave recipient or from a personal representative of the leave recipient that the leave recipient is no longer affected by a medical emergency; or

(3) At the end of the biweekly pay period in which the leave recipient's supervisor receives notice that the office of Personnel Management has approved an application for disability retirement for the leave recipient under the Civil Service Retirement System or the Federal Employees Retirement System.

b. The leave recipient's supervisor shall continuously monitor the status of the medical emergency affecting the leave recipient to ensure that the leave recipient continues to be affected by a medical emergency.

c. When the medical emergency affecting a leave recipient terminates; no further requests for transfer of annual leave to the leave recipient may be granted, and any unused transferred annual leave remaining to the credit of the leave recipient shall be restored to the leave donors.

d. A supervisor may deem a medical emergency to continue for the purpose of providing a leave recipient an adequate period of time within which to receive donations of annual leave.

**12. Restoration of transferred annual leave.**

a. Restore prorated shares of leave credits, if any, in one-hour increments rounding up or down as needed (30 minutes or more shall be rounded up) to appropriate leave

donors after the recipient's emergency has ended. Contact the leave donor(s) to determine which of the following restoration options should be used:

- (1) Restore the leave during the current leave year.
- (2) Restore the leave at the beginning of the next leave year.
- (3) Donate the leave to another recipient either in whole or part.

FOR THE COMMANDER:



CHERYL D. HAYES  
Chief, Civilian Personnel Advisory Center

DISTRIBUTION:  
All Organizations Serviced by Fort Lee CPAC