



UNITED STATES MARINE CORPS

MARINE CORPS BASE

QUANTICO, VIRGINIA 22134-5001

MCBQ J-26311.1

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18 Jul 89

MARINE CORPS BASE ORDER 12630.1

From: Commanding General
To: Distribution List

Subj: ANNUAL LEAVE TRANSFER PROGRAM

Ref: (a) PL 100-566 of 31 Oct 88 (NOTAL)
(b) FPM Bul 630-53 of 27 Feb 89 (NOTAL)
(c) OCPMINST 12630 of 28 Apr 89 (NOTAL)

Encl: (1) Application to Become a Leave Recipient
(2) Application to Become a Leave Donor

1. Purpose. To establish policy and guidance on administering this Command's annual leave transfer program under which an employee may donate unused accrued annual leave to another employee who needs such leave because of a medical emergency. The references apply.

2. Background

a. Reference (a) extended the previously established experimental annual leave transfer program and authorized the Office of Personnel Management to establish regulations under which the program will operate.

b. This program is expected to continue through FY 1993. Any leave transferred to an employee will remain available for use until the medical emergency has ended.

3. Prohibition

a. Immediate supervisors may not be the recipient of annual leave donated by subordinates.

b. The amount of annual leave a donor may transfer to a leave recipient in any one year is restricted to no more than one-half of the total amount of annual leave the donor would accrue during that leave year.

c. A donor who has "use or lose" annual leave may donate no more than the number of hours remaining in the leave year for which the donor is scheduled to work.

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d. A recipient must use all available paid leave, both sick and annual, before using any donated annual leave. This includes leave accrued during the use of donated leave.

4. Definitions

a. Employee. Any individual who by virtue of their appropriated fund appointment is authorized to accrue and use annual leave.

b. Leave Donor. An employee whose voluntary written request for transfer of annual leave to the annual leave account of another employee has been received and subsequently approved.

c. Leave Recipient. An employee for whom a written application to receive annual leave has been received and subsequently approved.

d. Medical Certificate. A written statement signed by a registered practicing physician or other practitioner, certifying to the incapacitation, severity, treatment, and period of disability of an employee or family member.

e. Medical Emergency. A medical emergency of the employee or a member of the employee's family requiring the employee's absence from duty without pay for a period of at least 10 workdays. This need not be consecutive time, but must all stem from the same emergency. Although a medical emergency may entail a multitude of situations, for application at this Command, it will not cover uncomplicated pregnancy/delivery, routine/elective outpatient surgery, or adoption familiarization periods.

5. Procedures

a. To Become a Leave Recipient

(1) Potential leave recipients must submit a written request to the Director, Civilian Personnel (DCP) Branch via proper management channels and the Director, Comptroller Division. All requests must, as a minimum, include the information outlined in enclosure (1). (Note: If an employee is not capable of making an application on their own behalf, another Command employee, or immediate family member, may initiate the request.)

(2) The leave recipient's emergency will cause an absence from duty without available paid leave for a period of (or is expected to be) at least 10 workdays.

(3) The Director, Comptroller Division, will endorse each request with a statement as to the amount of leave that the employee has available.

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(4) The DCP will review and approve/disapprove all leave recipient applications and notify the requestor via the same channels as listed in subparagraph **5a(1)** above.

(5) The Civilian Payroll Section will retain a copy of each approved application and ensure that the affected employee's leave account is properly credited.

(6) The leave recipient may solicit leave donors from among this Command's work force, either by personal contact or by a public call for donors coordinated with the DCP.

b. To Become a Leave Donor

(1) Potential leave donors must submit a written application to the DCP via proper management channels and the Director, Comptroller Division. All applications must, as a minimum, include the information outlined in enclosure (2).

(2) The Director, Comptroller Division, will endorse each request with a statement as to the amount of annual leave the employee has available and that the prohibition in paragraph 3b above is applied.

(3) The DCP will review and approve/disapprove all leave donor applications and notify the originator via the same channels as listed in subparagraph **5b(1)** above.

(4) The Civilian Payroll Section will retain a copy of each approved application and ensure that the affected employee's leave account is properly debited.

(5) If the donation of leave exceeds the maximum allowed, the potential donor must request a waiver and give the special circumstances why it should be allowed. If approved, documentation will be included with the application.

c. Leave Recipients and Donors at Other Agencies

(1) Interagency transfers of leave are allowed when:

(a) A family member of a leave recipient is employed by another agency and requests the transfer of annual leave to the leave recipient;

(b) The amount of leave transferred from donors employed by the recipient's employing agency may not be sufficient to meet the needs of the recipient; **or**

(c) Acceptance of leave transferred from another agency would further the purpose of the Voluntary Leave Transfer Program.

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(2) Approved applications (excluding the leave and earnings statement) of employees wishing to donate leave to employees of other agencies shall be forwarded to the leave recipient's employing agency and servicing payroll office by the Civilian Payroll Section.

(3) The DCP will accept donations of annual leave from donors employed by other agencies if one of the conditions above is met. All information required in enclosure (2) should be obtained in writing.

(4) Upon termination of a leave recipient's medical emergency:

(a) The DCP shall notify the leave recipient and the Civilian Payroll Section.

(b) The Civilian Payroll Section will notify all donors entitled to have restoration, and their servicing payroll offices, of the amount of transferred leave to be restored.

6. Grievance Rights

a. Bargaining unit employees whose applications to become leave recipients or donors who have been disapproved may grieve the decision through the negotiated grievance procedure.

b. Nonbargaining unit employees whose applications to become leave recipients or donors who have been disapproved may grieve the decision through the administrative grievance procedure.

c. A grievance will not be accepted if the disapproval is based on nonreceipt of legitimate donors.

7. Retroactive Substitution of Transferred Leave

a. Transferred annual leave may be substituted retroactively for periods of leave without pay (LWOP) or used to liquidate an indebtedness for advanced annual or sick leave granted on or after 22 December 1987.

b. Application procedures for both recipients and donors are the same as those outlined in paragraph 5 above.

8. Minimum Amount of Leave for Transfer. The minimum amount of annual leave which may be transferred is one hour.

9. Termination of Medical Emergency

a. Until the termination of the medical emergency, the leave recipient will be required to give their supervisor documentation on a monthly basis to support the continuation of the medical emergency.

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b. If a leave recipient's medical emergency is terminated prior to use of all of the transferred annual leave, the following procedures will apply:

(1) Recipient will notify the Civilian Personnel Branch via management channels.

(2) The DCP will then notify the leave donor(s) and the Director, Comptroller Division, in writing via management channels.

(3) The Civilian Payroll Section will compute the amount of annual leave to be restored to the affected leave donor's (donors') account and subsequently notify the donor(s) by endorsement on the termination letter described in subparagraph 9b(2) above. (Note: All leave donors will also be notified if restoration results in the possibility of forfeiture of annual leave if not used by the end of the leave year.)

(4) The minimum amount of annual leave that will be restored to the leave donor's (donors') account is one hour.

10. Action

a. Activity heads will ensure that the contents of this Order are made available to all employees within their respective organizations and that proper documentation exists to support the request.

b. The DCP will ensure that copies of all correspondence required to operate this program are routed through the Director, Comptroller Division regarding all approval/disapproval actions.

c. The Director, Comptroller Division, will develop necessary internal guidelines to comply with the provisions of this Order.



C. N. PASTINO
Acting Deputy Commander for Support

DISTRIBUTION: E plus 4 (100)

APPLICATION TO BECOME A LEAVE RECIPIENT

As a minimum, the following information must be included:

- (1) Date of application
- (2) Name
- (3) Social Security Number
- (4) Badge Number
- (5) Job title, series, grade, and salary (Annual for General Schedule/Hourly For Federal Wage System)
- (6) Organizational Location
- (7) Name of Employing Activity and Unit Identification Code
(UIC)
- (8) Leave balance of recipient (attach a copy of most recent Leave and Earnings Statement)
- (9) Brief description of the nature, severity, date of inception, and the anticipated duration of the medical emergency
- (10) Physician's certification
- (11) Signature

APPLICATION TO BECOME A LEAVE DONOR

As a minimum, the following information must be included:

- (1) Date of application
- (2) Name
- (3) Social Security Number
- (4) Badge Number
- (5) Job title, series, grade, and salary (Annual for General Schedule/Hourly for Federal Wage System)
- (6) Organizational Location
- (7) Name of Employing Activity and Unit Identification Code (UIC) (if employed by the Department of the Navy)
- (8) Leave balance (attach a copy of most recent Leave and Earnings Statement)
- (9) Name, employing activity, and organizational location (if known) of the leave recipient to whom leave shall be transferred
- (10) Number of hours of annual leave to be transferred
- (11) Signature of Donor