



Langley Research Center

LPR 3630.1

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ABSENCE AND LEAVE

National Aeronautics and Space Administration

RESPONSIBLE OFFICE: Office of Human Capital Management

TABLE OF CONTENTS

Preface **3**

P.1 Purpose 3

P.2 Applicability 3

P.3 Authority 3

P.4 Applicable Documents and Forms 3

P.5 Measurement/Verification 3

P.6 Cancellation 4

CHAPTER 1. Responsibilities..... **5**

1.1 Office of Director (OD)..... 5

1.2 Director, Office of Human Capital Management (OHCM) 5

1.3 Organizational Unit Managers (OUMs) 5

1.4 Managers and Supervisors..... 5

1.5 Employees 6

CHAPTER 2. Exigencies of Public Business..... **7**

CHAPTER 3. Special Leave Requests and Excused Absence **8**

3.1 General Guidance for Requesting Leave..... 8

3.2 Family and Medical Leave Act (FMLA) 8

3.3 Extended Leave without Pay (LWOP) 8

3.4 Excused Absence..... 9

3.5 Absence Without Official Leave (AWOL) 12

APPENDIX A. Acronyms..... **13**

PREFACE

P.1 PURPOSE

This Langley Procedural Requirement (LPR) sets forth procedures and requirements, advice and guidance, and definitions for the administration of leave and excused absence which may be granted to eligible employees.

P.2 APPLICABILITY

This LPR is applicable to Langley Research Center Civil Service employees.

P.3 AUTHORITY

- a. 5 U.S.C., Chapter 63, Leave
- b. 5 CFR, Part 630 – Absence and Leave

P.4 APPLICABLE DOCUMENTS AND FORMS

- a. NPR 3600.1A, Absence and Leave
- b. LF 54, Request for Special Leave or Excused Absence
- c. U.S. Department of Labor, Wage and Hour Division, Form WH-380-E, Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)
- d. U.S. Department of Labor, Wage and Hour Division, Form WH-380-F, Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)
- e. U.S. Department of Labor, Wage and Hour Division, Form WH-384, Certification of Qualifying Exigency for Military Family Leave (Family and Medical Leave Act)
- f. U.S. Department of Labor, Wage and Hour Division, Form WH-385, Certification for Serious Injury or Illness of Covered Service Member – for Military Family Leave (Family and Medical Leave Act)

P.5 MEASUREMENT/VERIFICATION

None.

P.6 CANCELLATION

LAPD 3630.3, Attendance and Leave, dated October 21, 2008.

Original signed on file

David E. Bowles
Associate Director

DISTRIBUTION:

Approved for public release via the Langley Management System; distribution is unlimited.

CHAPTER 1. Responsibilities

1.1 Office of Director shall:

- a. Approve exigencies of public business.
- b. Declare qualifying weather event emergencies.
- c. Approve excused leave for emergency law enforcement, disaster relief, and extreme work-related conditions, as required.

1.2 Director, Office of Human Capital Management (OHCM) shall:

- a. Approve leave without pay (LWOP) in excess of 30 calendar days.
- b. Approve restoration of forfeited annual leave.

1.3 Organizational Unit Managers (OUMs) shall:

- a. Identify and request approval of exigencies of the public business.
- b. Recommend approval/disapproval for requests of LWOP in excess of 30 calendar days.
- c. Approve excused absences for periods of 1 to 8 hours, as described in this LPR.
- d. Approve administrative leave for investigation or during an adverse action notice period.

1.4 Managers and supervisors shall:

- a. Communicate requirements and expectations regarding the scheduling and granting of leave requests to employees.
- b. Approve and monitor employee absences and leave requests, as appropriate.
- c. Assist employees in planning and scheduling annual leave to provide reasonable vacation periods and to ensure the use of leave which otherwise might be forfeited.

- d. Ensure time and attendance is accurately recorded and certified in WebTADS by date/time established by payroll or the Office of Chief Financial Officer (OCFO).
- e. Approve prior pay period adjustments and other requests initiated via WebTADS by the employee, i.e., overtime/compensatory time off, telework agreements, requests to participate in the voluntary leave transfer program or advance sick leave, as appropriate.
- f. Take or initiate appropriate corrective action for suspected leave abuse.

1.5 Employees shall:

- a. Request leave through WebTADS Leave Planner or through e-mail, per organizational or branch policy.
- b. Except in unforeseen circumstances, annual leave shall be requested as far in advance as possible.
- c. Unscheduled absences shall be requested as soon as possible, but no later than two hours from the beginning of the employee's normal workday.
- d. In cases of extended absences due to illness or injury, keep supervisor apprised of medical/duty status.
- e. Provide any certifications and documentation required to support a leave request.

CHAPTER 2. Exigencies of Public Business

2.1 Individual requests for exigencies of public business must be initiated, justified, and documented by LaRC supervisors on a case-by-case basis. Supervisors must closely coordinate with project and program heads on individual exigency requests to ensure that the requests and justifications are directly tied to mission success and meet the following thresholds:

2.2 An exigency will be granted only if required to meet critical project activities/milestones. An exigency will not be granted if the employee chooses not to take leave or if the employee and supervisor did not properly plan for leave at the beginning of and throughout the leave year.

2.3 The requests must include the following information:

- a. a short description of the mission-critical activity or milestone that will not be met if annual leave is not cancelled;
- b. the proposed beginning and ending dates of the exigency;
- c. a short statement outlining why the leave cannot be rescheduled prior to the end of the leave year;
- d. data on the impact of the employee's broader leave situation in upcoming leave year (e.g. restored leave already on the books from last year and/or compensatory time off balance info), and;
- e. the WebTADS planner or email leave requests documenting the scheduling of leave prior to the beginning of the third pay period before the end of the leave year (note that other documentation, such as handwritten notes, is not acceptable.)

2.4 Supervisors/Branch Heads must review an employee's broader leave situation before deciding whether to request an exigency. For example, if an employee has excessive compensatory time off balance subject to forfeiture and/or a restored leave balance left over from previous years, all efforts should be made to avoid canceling leave for that employee again in the current year.

Note: Use of expiring restored leave from previous years or compensatory time is not a basis for requesting an exigency.

CHAPTER 3. Special Leave Requests and Excused Absence

3.1 Most types of leave may be requested via WebTADS, i.e., annual, sick, advance sick, leave without pay (for less than 30 days), military, court, and voluntary leave transfer program (VLTP). Guidance in requesting leave may be found by logging into WebTADS and clicking on the “online support” tab.

3.2 Requesting leave under the Family and Medical Leave Act (FMLA). The FMLA provides that most Federal employees are entitled to up to 12 weeks of unpaid leave (LWOP) during any 12-month period for certain family and medical needs. An employee may elect to substitute annual or sick leave, as appropriate, for any unpaid leave.

a. The employee must provide, at a minimum, a 30-day notice or as soon as medically practical of his/her invocation of leave under FMLA. The employee may verbally invoke his/her entitlement, but must follow up with a written request within 15 days using Langley Form 54, “Request for Special Leave or Excused Absence.”

b. Acceptable medical certification in support of the request must be provided within 15 days from the date the employee invokes his/her entitlement to leave under FMLA. Department of Labor Forms WH-380-E or WH-380-F may be used in providing acceptable medical certification. Department of Labor Form WH-384 may be used for Certification of Qualifying Exigency for Military Family Leave or WH-385, Certification for Serious Injury or Illness of Covered Service member – for Military Family Leave. Forms may be accessed through the Langley Management System (LMS) website at <https://lms.larc.nasa.gov/index.cfm>.

3.3 Extended LWOP is all LWOP in excess of 30 consecutive calendar days. For approval of extended LWOP, there should be reasonable belief that the employee will return at the end of the approved period of leave and a determination by the leave approving officials that the organization and/or Center can spare the employee’s services. In addition, at least one of the following benefits should result:

- a. increased job ability;
- b. protection or improvement of employee’s health;
- c. retention of a desirable employee; or
- d. furtherance of a program of interest to the Government (for example, Peace Corps volunteers).
- e. The following list includes, but is not limited to, examples of situations in which approving extended LWOP would be appropriate:

- (1) Educational purposes when the course of study or research is compatible with work being performed by the Center and completion of the study would contribute to the Center's best interests.
 - (2) Services with non-Federal, public, or private enterprise, when the job is temporary and there is reasonable belief that the employee will return. In addition, when one or more of the following will result:
 - (a) The service to be performed will contribute to public welfare.
 - (b) The experience gained by the employee will serve the interests of the Center.
 - (3) Recovery from illness or disability not of a permanent or disqualifying nature, when continued employment or immediate return to work would threaten the employee's health or the health of other employees.
 - (4) Protection of employee status and benefits.
 - (a) During a period pending final action by OPM on a claim for disability retirement.
 - (b) During a period pending action by the Department of Labor, Office of Workers' Compensation Programs (OWCP) on a claim resulting from work-related injury or illness.
 - (c) For at least 1 year, while being compensated by OWCP, with extension in increments of 6 months or 1 year.
 - (d) To avoid a break in service for employees relocating because they are dependents of military personnel or of Federal employees and who shall move on rotational assignments or upon the transfer of a function or activity.
- f. Requests for extended LWOP must be submitted using LF 54 and accompanied by appropriate documentation supporting the request, as appropriate. The employee should contact the NASA Shared Service Center (NSSC) for additional information regarding the impact of extended LWOP on benefits, i.e., health and life insurances, thrift savings plan, service computation dates for leave, reduction-in-force (RIF), and retirement, etc.
- g. Management is not obligated to approve requests for extended LWOP, based on organization needs and mission requirements with the exception of requests for LWOP appropriate for approval under the FMLA or while in receipt of OWCP benefits during the first year.
- 3.4 Excused Absence is an absence from duty administratively authorized without loss of pay or charge to leave. "Administrative leave" is synonymous with "excused absence." Ordinarily, excused absences are authorized on an individual basis, except when the Center is closed or a group of employees is

excused for various reasons (See LPR 3610.1 for Center closures/early dismissals).

3.4.1 Pending Investigations

Excused absence, which is granted at management's discretion, generally includes situations where the possible disruption to the organization due to an employee's presence in the work place outweighs the cost of the administrative leave. The placement of an employee on administrative leave/excused absence is not an adverse/disciplinary action. Management should confer with OHCM and/or the Office of Chief Counsel (OCC) prior to placing an employee on excused absence.

3.4.2 Severe Weather Conditions

In the event of an emergency weather event such as a tornado, hurricane, extreme flooding, etc. the Office of the Director has the option of declaring a "Qualifying Weather Event Emergency":

- a. Once a declaration is made by OD, LARC OUM's have the discretionary authority to approve up to 40 hours of administrative leave/excused absence for individual employees who suffer personal extreme hardship(s) as a direct result of the qualifying weather event (e.g. loss of use of employee's primary residence, meeting insurance adjusters/tree removers/repair contractors, obtaining medical care for storm-related injuries to employee or employee's immediate family, and making temporary living arrangements, etc.).
- b. Employees shall apply for excused leave using Langley Form 54, Request for Special Leave or Excused Absence.
- c. Once an OUM has approved the use of excused leave, the OUM shall forward the LF 54 to OHCM for processing.
- d. OHCM shall retain a record of the approved leave and monitor its use for overall consistency.
- e. Requests for excused leave exceeding 40 hours, if supported by the OUM, must be routed through OHCM to OD for approval on a case-by-case basis.
- f. The granting of excused leave for more than 40 hours is reserved only for the most extraordinary of situations (e.g. primary residence not only uninhabitable, but residence/neighborhood inaccessible, unable to begin damage recovery during week following event, etc.)

g. Excused leave for employees who are requested to assist in authorized emergency law enforcement, relief, or clean-up efforts in disaster-affected communities by Federal, State, or other officials having jurisdiction may be approved by OD. All requests must be submitted to OHCM, with OUM concurrence, using Langley Form 54 with appropriate documentation from the Federal Government organization requesting the employee's assistance.

3.4.3 Excused absence involving individuals or small groups of employees

These absences will be addressed on a case-by-case basis. OUMs or their designee may grant individuals or small groups of employees up to 8 hours of excused absence due to extreme work-related conditions preventing employees from performing work, i.e., flooded building, extreme temperatures, power outage, etc. Before the granting of excused absence, the OUM or designee must consider other viable alternatives for work to continue. Examples include directing work in another building; providing flexible schedules, allowing telework, etc. Requests for absences greater than 8 hours must be submitted to OD for approval via OHCM using the LF 54.

3.4.4 Blood Donor Program

Employees who donate blood as part of the American Red Cross Blood Donation Program at the Center may be excused without charge to leave up to 4 consecutive hours per donation. Excused absence is provided to allow travel to/from the blood donation site, donating blood, and recovery.

3.4.5 Civil Defense programs

Employees who participate in federally recognized civil defense programs may be excused, without charge to leave, for a reasonable amount of time up to a maximum of 40 hours in any calendar year to engage in such programs. Requests must be submitted using LF 54 along with certification from the Civil Defense authorities providing dates and time of participation.

3.4.6 Permanent Change of Station (PCS) Relocation

a. Employees entering on duty or separating from the Center (after a release date has been arranged through OHCM and before actual date of separation) will be allowed up to 24 hours of excused absence to be used within 6 months of the move in order to coordinate activities associated with the PCS. Employees shall be in receipt of PCS orders to establish eligibility. OHCM may grant additional excused absence should unusual circumstances or extraordinary reasons exist.

b. First-level supervisors are delegated authority for approving and scheduling PCS-related excused absence in advance. Employees may be granted excused absence for any purpose or activity related to an official PCS requiring change of

residence (receiving and unpacking household goods, filing of home mortgage applications, residential real estate settlements/closing, etc.).

3.5 Absence Without Official Leave (AWOL)

Absence from duty without authorization shall be charged to absence without official leave and without pay. Charges of AWOL are subject to disciplinary action, up to and including removal from Federal service.

APPENDIX A. Acronyms

AWOL	Absence without Leave
CFR	Code of Federal Regulations
FMLA	Family and Medical Leave Act
LAPD	Langley Policy Directive
LaRC	Langley Research Center
LMS	Langley Management System
LPR	Langley Procedural Requirements
LWOP	Leave without Pay
NASA	National Aeronautics and Space Administration
NPR	NASA Procedural Requirements
NSSC	NASA Shared Service Center
OCC	Office of Chief Counsel
OCFO	Office of Chief Financial Officer
OD	Office of Director
OHCM	Office of Human Capital Management
OUM	Organizational Unit Manager
OWCP	Office of Workers' Compensation Programs
PCS	Permanent Change of Station
RIF	Reduction-in-force
USC	United States Code
VLTP	Voluntary Leave Transfer Program
WebTADS	Web-based Time and Attendance Distribution System