

Army Emergency Leave Transfer Program (ELTP) Implementing Guidance

Office of the Assistant G-1 for Civilian Personnel

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1. Purpose

The following provides implementing guidance for the policy memorandum of the Assistant Secretary of the Army (Manpower and Reserve Affairs), dated December 26, 2012, subject: Army Emergency Leave Program Policy for Employees Affected by Hurricane Sandy.

2. Eligibility

Army has established an ELTP to assist employees adversely affected by Hurricane Sandy. Employees or employees with family members who have experienced severe adverse effects because of Hurricane Sandy may request to be leave recipients under the ELTP. The Office of Personnel Management (OPM) defines severe adverse effects to include loss of life or property, serious injury, or physical or mental illness as a result of a direct threat to life or health. An employee is considered to be adversely affected if Hurricane Sandy caused the employee or a family member of the employee severe hardship to such a degree that his/her absence from the workplace is required.

3. Duration of the ELTP

The ELTP shall remain in effect for 6 months from the effective date of the Army ELTP policy memo. The program may be reestablished as needed.

4. Emergency Leave Recipient

a. Employees may apply to be an emergency leave recipient by completing the OPM Form 1637, Application to Become a Leave Recipient Under the Emergency Leave Transfer Program, http://beta.opm.gov/forms/pdf_fill/opm1637.pdf, obtaining their supervisor's signature, and submitting it to their servicing Civilian Personnel Advisory Center (CPAC) as soon as possible. If an employee is not capable of completing the OPM Form 1637, then a personal representative may complete and submit it for the employee. The information in blocks 6 and 7 must be completed as follows:

1. Block 6: Enter "Hurricane Sandy."
2. Block 7: In addition to providing the nature and severity of the emergency, the estimated number of hours needed to address the emergency must be included. Estimated hours shall include leave without pay (LWOP) and/or advance leave used because of Hurricane Sandy. Leave requested for medical reasons shall be supported by medical documentation.

b. An employee (or the personal representative who made application on the employee) must be provided a decision regarding his/her application within 10 calendar days (excluding Saturdays, Sundays, and legal public holidays) from receipt of the request by the deciding official. If an employee's request is disapproved he/she must be given the reason for the disapproval (5 CFR 630.1107). The deciding management official can be the same individual authorized to approve applications for the Voluntary Leave Transfer Program.

c. Leave recipients may receive a maximum of 240 hours of donated leave. An exception to the 240 hours may be granted if sufficient leave is available to disperse (5 CFR 630.1111).

d. Leave recipients are not required to exhaust their accrued annual and sick leave before receiving donated annual leave under the ELTP (5 CFR 630.1108). Any donated annual leave a leave recipient receives from an ELTP may be used to substitute retroactively for any period of leave without pay (LWOP) used because of Hurricane Sandy or used to liquidate an indebtedness incurred by the leave recipient for advanced annual or sick leave used because of Hurricane Sandy. Management officials (leave approving officials) may advance annual or sick leave even if the employee has available leave so that the employee is not forced to use accrued leave before donated annual leave becomes available.

e. Annual leave transferred under the ELTP to a leave recipient may not be included in a lump-sum payment; re-credited to a former employee who is reemployed by a Federal agency; or used to establish initial eligibility for immediate retirement or acquire eligibility to continue health benefits into retirement (5 CFR 630.1115).

5. Emergency Leave Donors

a. Employees may donate annual leave by submitting the OPM Form 1638, Request to Donate Annual Leave Under the Emergency Leave Transfer Program, http://www.opm.gov/FORMS/PDF_FILL/opm1638.pdf, to their servicing CPAC.

b. A leave donor may not contribute less than 1 hour or more than 104 hours of annual leave in a leave year to an ELTP (5 CFR 630.1110), and such leave may not be donated to a specific person (5 CFR 630.1109).

6. Transferring Donated Leave between Components and Agencies

If sufficient leave donations are not received to cover the needs of leave recipients, Army may request that Defense Civilian Personnel Advisory Service facilitate the transfer of donated annual leave among Components; additionally OPM is available to facilitate the transfer of leave donations from other federal agencies to the Army. (5 CFR 630.1112).

7. Accrual of Leave While Using Donated Leave

An emergency leave recipient using donated annual leave continues to accrue annual and sick leave at the same rate as if the employee were in a paid leave status and the employee's annual leave will be subject to the normal annual leave limitations prescribed in 5 U.S.C. 6304 (a), (b), (c), and (f).

8. Termination of the ELTP

An employee must be terminated as a leave recipient under the ELTP at the earliest occurrence of the following conditions (5 CFR 630.1116):

- a. When the Army Emergency Leave Transfer Program for Hurricane Sandy terminates;
- b. When the employee's Federal service terminates;
- c. At the end of the biweekly pay period in which the employee, or his or her personal representative, notifies the supervisor and the servicing CPAC that he or she is no longer affected by the disaster or emergency;
- d. At the end of the biweekly pay period in which the deciding management official determines, after giving the employee or his or her personal representative written notice and an opportunity to answer orally or in writing, that the employee is no longer affected by the disaster or emergency; or
- e. At the end of the biweekly pay period in which the servicing CPAC receives notice that OPM has approved an application for disability retirement for the emergency leave recipient under the Civil Service Retirement System or the Federal Employees' Retirement System.

9. Administer the ELTP

The Civilian Human Resources Agency (CHRA) will administer the program from an operational perspective.