UNITED STATES MARINE CORPS
MARINE CORPS RECRUIT DEPOT/WESTERN RECRUITING REGION
SAN DIEGO, CALIFORNIA 92140

DepO 12630.6
1B:zg
17 Jan 1989

DEPOT ORDER 12630.6

From: Commanding General
To: Distribution List

Subj: Leave Transfer Program

Ref: (a) FPM Bulletin 630-48 (NOTAL)
(b) Public Law 100-440 of 22 Sep 1988 (NOTAL)
(c) DepO 12630.5A
(d) DepO 12770.2B

Encl: (1) Leave Recipient Application
(2) Leave Donor Application

1. Purpose. To promulgate instructions and guidelines for the implementation of the leave transfer program.

2. Background. Reference (a) sets forth procedures for the implementation of a temporary leave transfer program. Under the provisions of this program, unused accrued annual leave of employees of the Federal government may be transferred for use by other employees who need such leave due to a personal emergency. The program was scheduled to expire 30 September 1988 and has been extended by reference (b).

3. Definitions

a. 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 an authorized official.

b. Leave Recipient. A current employee whose application has been approved to receive annual leave from the annual leave accounts of one or more leave donors.

c. Personal Emergency. A medical or family emergency or other hardship situation 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.

4. Responsibilities

a. The Chief of Staff has been designated as the deciding official on all recipient/donor request applications. The Chief of Staff shall:

(1) Decide on the disposition of potential leave recipient's and/or donor's applications and shall notify the potential recipient and/or donor within 30 calendar days after the date on which the application was received of the disposition of the application.

(2) Forward written notification of the approved leave transfer transaction to the Assistant Chief of Staff, Comptroller for transfer of annual leave.

b. The Civilian Personnel Officer will review all recipient/donor applications to assure conformance to the provisions of this Order and provide the necessary administrative support for this program.

c. The Assistant Chief of Staff, Comptroller shall verify the status of leave accounts of potential recipients and donors, transfer annual leave from the accounts of approved donors to accounts of recipients, and restore annual leave to the accounts of donors in accordance with paragraph 13 of this Order.

d. Cognizant staff officers shall review each potential recipient's request and recommend approval/disapproval, taking into consideration such factors as work history, leave usage, etc.

5. Application Eligibility to Become a Leave Recipient

a. An employee who has been affected by a personal emergency on or after 22 December 1987, may make written application to become a leave recipient. The application must contain the information set forth in enclosure (1). The application should be submitted through the chain of command to the Civilian Personnel Officer. If an employee is not capable of making application on his or her behalf, another Department of the Navy employee may make written application on his or her behalf.

b. To be eligible the potential leave recipient must be affected by a personal emergency that will (or is expected to) require absence from duty without available paid leave of at least 10 workdays.

c. Applicants will be required to utilize advance annual and/or sick leave, as appropriate, prior to requesting to become a leave recipient. Prior to advancing annual or sick leave there must be reasonable assurance that the employee will be in a duty status long enough to liquidate any advance leave. Provisions governing advanced leave are contained in reference (c).

d. Employees currently under a letter of requirement for leave abuse are ineligible to participate in the program.

6. Notification of Disposition of Potential Leave Recipient's Application

a. If the potential leave recipient's application is approved, the leave recipient will be notified, in writing, of the following:

(1) That the application is approved;

(2) Of the leave recipient's responsibility to provide documentation monthly (unless a more frequent time period is determined), to support the continuation of the personal emergency; and

(3) Of the conditions under which the personal emergency terminates.

b. If the potential leave recipient's application is disapproved, he or she will be notified in writing by the Chief of Staff of the reasons for the disapproval.

7. Termination of Personal Emergency. The personal emergency affecting a leave recipient shall terminate as follows:

a. When the leave recipient's employment is terminated by this Command.

b. At the end of the biweekly pay period in which the Chief of Staff determines that the leave recipient is no longer affected by a personal emergency; or

c. At the end of the biweekly pay period in which notice is received that the Office of Personnel Management has approved an application for disability retirement.

8. Notification of a Need for Leave Donors. Upon approval of the leave recipient's application, the employing section will make known to other section employees the need for leave donors. If sufficient donors are not available, the section will request the Civilian Personnel Officer to solicit donors from the Depot work force. In requesting leave donors, information sufficient to justify the need to potential donors will be used.

9. Application to Become a Leave Donor

a. Employees who desire to participate in the leave transfer program as voluntary donors, shall submit their requests to the Civilian Personnel Office in the format shown in enclosure (2).

b. The Civilian Personnel Officer shall review leave donor applications to ensure that the leave recipient is not the leave donor's immediate supervisor.

c. The Assistant Chief of Staff, Comptroller shall certify that the annual leave is available to be transferred, and that the amount of leave requested for transfer does not exceed the following limitations:

(1) 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.

(2) A leave donor who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year may donate no more than 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.

10. Notification of the Disposition of the Potential Leave Donor's Application. The leave donor shall be notified, in writing, by the Civilian Personnel Officer, of the disposition of his or her application.

a. If the leave donor's application is approved, he or she shall be notified in writing of:

(1) The limitations on donation of annual leave;

(2) The number of hours of his or her annual leave which will be transferred; and

(3) His or her entitlement to have a portion of the leave recipient's transferred annual leave restored to his or her annual leave account at the termination of the leave recipient's personal emergency.

b. If the leave donor's application is disapproved, he or she shall be notified, in writing, of the reason for the disapproval.

11. Transfer of Annual Leave

a. Annual leave may only be transferred to the annual leave accounts of leave recipients within this Command, unless the Chief of Staff has determined that the amount of annual leave transferred from leave donors employed by the Depot may not be sufficient to meet the needs of the leave recipient.

b. Authority to approve the transfer of annual leave from donors outside the Depot is delegated to the Commandant of the Marine Corps in accordance with the provisions of reference (b).

c. In no case shall leave be transferred to the account of an approved leave recipient of the DON from a leave donor who is not currently employed by the DON.

d. Transferred annual leave may be substituted retroactively for periods of leave without pay or used to liquidate an indebtedness for advanced annual or sick leave granted on or after 30 October 1986.

e. The minimum amount of annual leave which may be transferred is one hour.

12. Termination of Personal Emergency. Upon termination of a leave recipient's personal emergency, as determined by the Chief of Staff:

a. The Chief of Staff shall notify, in writing:

(1) The leave recipient, leave donors, and the Assistant Chief of Staff, Comptroller of the termination of the personal emergency;

(2) All leave donors of the amount of transferred annual leave to be restored to the leave donors' accounts', as computed by the payroll office; and

(3) The leave donors of the possibility of forfeiture of restored annual leave as stated in reference (c).

b. The payroll office shall compute the amount of unused transferred annual leave to be restored to each leave donor, if any, following the procedures set forth in paragraph 13.

13. Restoration of Transferred Annual Leave

a. Upon termination of the leave recipient's personal emergency, any transferred annual leave remaining to the credit of a leave recipient shall be restored by transfer to the annual leave accounts of leave donors currently employed by a Federal agency on the date the personal emergency terminates.

b. The payroll office shall:

(1) Compute the amount of unused transferred annual leave to be restored to each leave donor as follows:

STEP 1. Divide the number of hours of unused transferred annual leave by the total number of hours of annual leave transferred to the leave recipient;

STEP 2. Multiply the ratio obtained in step 1 by the number of hours of annual leave transferred by each leave donor eligible for restoration under paragraph 13a above; and

STEP 3. Round the result obtained in Step 2 to the nearest increment of time established to account for annual leave.

(2) If the total number of eligible leave donors exceeds the total number of hours of annual leave to be restored, no unused transferred annual leave shall be restored. In no case shall the amount of annual leave restored to a leave donor exceed the amount transferred to the leave recipient by the leave donor.

(3) Notify the Civilian Personnel Officer of the amount determined above.

b. The minimum amount of leave which may be restored to the account of an employee is one hour. Fractions of hours shall be rounded to the nearest whole hour (i.e. less than 30 minutes shall be rounded down, 30 minutes or more shall be rounded up).

14. Records Maintenance. The Assistant Chief of Staff, Comptroller shall maintain records as set forth in reference (b).

15. Grievance Rights. Nonbargaining unit employees whose applications to become leave recipients or donors have been disapproved may grieve the decision using the administrative grievance procedures set forth in reference (d). Bargaining unit employees may seek redress under the terms of the negotiated agreement.

16. Applicability. Managers and supervisors will comply with the policy and guidance provided herein.

R. R. Wright

R. R. WRIGHT
Chief of Staff

DISTRIBUTION: VII

LEAVE RECIPIENT APPLICATION

In accordance with the provisions of Depot Order 12630.6, the following information is submitted to support my request to participate in the leave transfer program as a leave recipient:

a. Name: _____

b. Social Security Number: _____

c. Employee identification number: _____
(As listed on the employee's leave and earnings statement.)

d. Title, series, grade, and salary: _____

e. Name of employing activity: _____

f. Leave balance of recipient: _____
(Attach the most recent leave and earnings statement.)

g. Brief description of the nature, severity, date of inception, and anticipated duration of the personal emergency: _____

_____

_____
(If the nature of the emergency is medical, a physician's certificate is required.)

h. Signature: _____

i. Date of the application: _____

ENCLOSURE (1)

LEAVE DONOR APPLICATION

In accordance with the provisions of Depot Order 12630.6, the following information is submitted to support my request to participate in the leave transfer program as a leave donor:

a. Name: _____

b. Social Security Number: _____

c. Employee identification number: _____

d. Title, series, grade, and salary: _____

e. Name of donor's employing activity: _____

f. Leave balance of donor: _____
(Attach the most recent leave and earnings statement.)

g. Name of the leave recipient to whom leave shall be transferred:

_____

h. Number of hours of annual leave the donor requests to be transferred:

_____

i. Name of the recipient's employing activity: _____

j. Signature: _____

k. Date of application: _____

ENCLOSURE (2)