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HRDG 4630 - Absence and Leave - Section C - Subsection c

Last Modified:

Subchapter 4630 - Absence and Leave

Section C - Sick Leave

Subsection c - Advance Sick Leave

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Sick leave will not be advanced just because an employee has exhausted his/her sick leave. A full time (FT) employee may be advanced up to 30 days (240 hours) sick leave for any one of the following:

- The employee is afflicted with a serious health condition and will be absent from duty for more than 3 consecutive workdays. An exception may be made when it is evident to the approving official that the ailment or disability is serious enough to warrant the granting of advance leave.

The basis for approving the exception should be documented in the employee's time and attendance records.

- Incapacitation from duty due to physical or mental illness, injury, pregnancy, or childbirth.
- When the employee would, as determined by the health authorities, jeopardize the health of others by his or her presence on the job due to a communicable disease of his or her own or that of a family member's.
- The employee must provide care for a family member with a serious illness.

For example, an employee uses 400 hours of sick leave to care for a family member with a serious illness and now has a zero sick leave balance. The employee wants advanced sick leave to care for another family member with a serious illness. He or she is only entitled to an advance of 80 hours of sick leave. If the employee then becomes seriously ill and still has an 80 hour advanced sick leave balance then the supervisor may advance the employee up to 160 hours of sick leave. The maximum amount of sick leave, including advanced sick leave, that an employee may use each leave year for a seriously ill family member is limited to 480 hours. The maximum amount of advanced sick leave that an employee may have to his or her credit for any purpose is 240 hours. Lastly, the employee may invoke [FMLA](#) for his or her own qualifying medical condition or that of a qualifying family member.

Conditions for Granting Advance Sick Leave

- The employee must be absent from duty for adoption purposes for which sick leave would otherwise be granted.
- For the care of a covered service member with a serious

**Documentation
for Advance Sick
Leave**

Applications for advance sick leave should be submitted to the appropriate approving official and be supported by acceptable medical documentation which describes the serious medical condition and the period of incapacitation.

The amount of sick leave that may be advanced to an employee is based on the employee's appointment, as stated in the following table:

Amount of Advance Sick Leave That May Be Granted	Type of appointment:	Amount of advance sick leave:
	Permanent (full-time or part-time)	Up to 240 hours. An employee may continue to be advanced additional sick leave, so long as the total amount owed does not exceed 240 hours.
	Temporary or limited appointments	Up to the total amount that will be earned during the length of the appointment. However, the amount advanced may not exceed 240 hours.

These advance amounts apply only to situations where an employee is using sick leave for his/her own illness or adoption related purposes. See “[Conditions for Granting Advance Sick Leave](#)” to determine the allowable amount for family care purposes.

Unless excepted by a circumstance listed in the following block, advance sick leave must be paid back by one or more of the following methods:

- Applying sick leave earned in each pay period to the negative balance,
- A single deduction from the employee's salary,
- A series of salary deductions,
- Substituting annual leave for the advance sick leave,
- Substituting a minimum of 20 hours of earned compensatory time off in lieu of overtime pay, earned compensatory time off for travel (CTOT), earned credit hours, restored annual leave, and/or a time off award,
- Making a cash repayment for the remaining hours of advance sick leave. The cash repayment must be equal to the current value of the leave at the time the advanced leave was taken. Contact the servicing personnel office (SPO) if additional guidance is needed, or
- Collection from any monies owed to an employee who is separating from Government service (e.g., final salary payment).

Repaying Advance Sick Leave

Note: Substituting earned paid time off for sick leave is done on an hour-for-hour basis, e.g., one hour of CTOT for one hour of sick leave.

Note: Use [**MRP Form 347, Substitution of Earned Paid Time Off for Annual/Sick Leave Indebtedness**](#) (36 KB), to pay back the advance leave. A leave audit must accompany the form.

An employee is required to pay back any advance sick leave when he/she separates from Federal service, except in cases of:

**When a Refund
Is Not Required**

- Death;
- Disability retirement;
- Entrance into military service with reemployment rights; or
- Resignation or separation because of disability which, according to medical certification, prevents the employee from returning to or continuing employment.

Note: When an employee is not required to pay back advance sick leave, the supervisor should notify the SPO, through established administrative channels and procedures, to make necessary adjustments to the payroll/personnel data base.

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