

---

United States Department of Agriculture  
Marketing and Regulatory Programs  
Agriculture Marketing Service  
Animal and Plant Health Inspection Service

---

**Mission Area Directive**

**MRP 4630.1**

**1/28/2020**

---

**ABSENCE AND LEAVE**

**TABLE OF CONTENTS**

1. PURPOSE.....	1
2. SPECIAL INSTRUCTIONS AND REPLACEMENT HIGHLIGHTS .....	1
3. AUTHORITIES AND REFERENCES .....	1
4. POLICY.....	2
5. EXCEPTIONS.....	3
6. ROLES AND RESPONSIBILITIES.....	4
7. PROCEDURES .....	5
8. FORMS.....	5
9. RECORDS MANAGEMENT.....	5
10. INQUIRIES AND ADDITIONAL INFORMATION.....	6

**1. PURPOSE**

This Directive establishes the policy on administering absence and leave benefits and entitlements for the Marketing and Regulatory Programs (MRP) Mission Area and its employees.

**2. SPECIAL INSTRUCTIONS AND REPLACEMENT HIGHLIGHTS**

- a. This Directive supersedes MRP 4630.1 Absence and Leave, dated 5/18/2015. The principle changes made include the removal of Grain Inspection, Packers and Stockyards Administration (GIPSA).
- b. This Directive is in force until cancelled or superseded.

**3. AUTHORITIES AND REFERENCES**

This Directive must be applied in conjunction with:

- a. [Title 5 U.S. Code, Chapter 35, Subchapter II and Chapter 63](#)
- b. Title 5 Code of Federal Regulations, Parts [178](#), [353](#) and [630](#)
- c. [The Family and Medical Leave Act of 1993 \(Public Law \[P.L.\] 103-3, February 5, 1993\)](#)
- d. [Federal Leave Sharing \(P.L. 103-103, October 8, 1993\)](#)
- e. [The Federal Employees Family Friendly Leave Act of 1994 \(section 629\[b\] of P.L. 103-329, the Treasury, Postal Service and General Government Appropriation Act for fiscal year 1995, September 30, 1994\)](#)
- f. [Uniformed Services Employment and Reemployment Rights Act of 1994 \(P.L. 103-353, October 13, 1994\)](#)
- g. [Departmental Regulation \(DR\) 4060-630-002, Leave Administration: Excused Absence/Administrate Leave, dated October 19, 2010](#)
- h. [Departmental Personnel Manual \(DPM\) Chapter 630, Subchapter 9, Voluntary Leave Transfer Program](#)
- i. [Human Resources Desk Guide \(HRDG\) Subchapter 4630](#)

#### **4. POLICY**

It is MRP policy that:

- a. Leave entitlements and benefits will be administered in accordance with applicable laws and regulations and in a fair and equitable manner to all employees.
- b. Leave charges (including absence without leave) will be made in 15-minute increments.
- c. The designation of “emergency employees” will be made on an annual basis by the applicable program and that employees so designated will be notified.

- d. The President's request, dated April 11, 1997, will be adhered to by entitling employees up to 24 hours of leave without pay per calendar year for certain child and elder care situations/needs.
- e. If an employee has exhausted annual leave (sick leave, if consistent with current regulations) and wishes to apply for the leave transfer program, the application must be filed within 90 calendar days of exhausting leave.
- f. Supervisors may grant administrative leave (TC 66) and/or excused absence (TC 01) to employees to attend the local funeral or memorial service of a co-worker as outlined in the Human Resources Desk Guide (HRDG) Subchapter 4630, Absence and Leave.
- g. Employees must use paid leave (e.g., use or lose annual leave, compensatory time off in lieu of overtime pay, compensatory time off for travel, time off awards, credit hours) in a manner that prevents the loss of annual leave at the end of the leave year.

[Administrative Notice APHIS 23-2 Leave Usage Order for Annual Leave Restoration Purposes Policy](#) superseded the above paragraph for **APHIS employees only**. At the present, this notice only applies to non-bargaining unit employees until bargaining obligations are met. Therefore, the above paragraph still applies to bargaining unit employees.

- h. Except for leave restorations as described below, the authority to approve absence and leave is delegated through this Directive to the level of supervision consistent with the authority to approve time and attendance reports. If this level of delegation does not meet their specific needs, individual programs within MRP agencies have the discretion to retain approval authority at higher levels than prescribed in this Directive.

## 5. EXCEPTIONS

There are two exceptions to the policy referenced in section 4h above, which include:

- a. The authority to approve restoration of annual leave forfeited due to exigencies of the public business (operational emergencies) is delegated to the following officials and may not be further re-delegated within the programs:
  - (1) **AMS** - Administrator, Associate Administrator, Deputy Administrators, Associate Deputy Administrators, and Program/Staff Directors; and
  - (2) **APHIS** - Administrator, Deputy Administrators, and Directors (Program,

Regional, Center, Lab, and Division).

b. Additional delegations are described in the chart below:

Leave Restoration due to:	May be approved by: Director, HRD	May be approved by: Pay , Leave & TOD Specialist, HRD Policy Branch	May be approved by: Programs
Sickness	X	X	
Administrative Error	X		
Unwarranted or unjustified personnel action	X		
Exigencies of the public business (operational emergencies)	X	X	X

**6. ROLES AND RESPONSIBILITIES**

The implementation of the policy and procedures as established by this Directive requires the responsibilities of the following individuals and/or groups:

- a. AMS Administrator, Associate Administrator, Deputy Administrators, Associate Deputy Administrators, and Program/Staff Directors will review and approve/disapprove leave restorations due to an operational emergency (exigency of the public business).
- b. APHIS Administrator, Deputy Administrators, and Directors (Program, Regional, Center, Lab, and Division) will review and approve/disapprove leave restorations due to an operational emergency (exigency of the public business).
- c. Managers and Supervisors will learn, follow, and advise their employees on the absence and leave policies and guidance found in HRDG 4630 Absence and Leave.
- d. All MRP Employees will learn and follow leave policies in accordance with this Directive and the HRDG 4630 Absence and Leave.

- e. Timekeepers will review, provide leave audits, and maintain T&A reports and supporting documentation as outlined in the HRDG 4630 and in accordance with other requirements, e.g., NFC, GAO.

## 7. PROCEDURES

Operating guidelines for administering leave benefits and entitlements are contained in the [Human Resources Desk Guide \(HRDG\) Subchapter 4630](#), Absence and Leave. The Guide is intended to be a user-friendly reference tool to be shared by supervisors and their employees.

## 8. FORMS

The form(s) that are referenced and/or required for use as established by this Agency Directive include:

- a. AD-1043 Form, Leave Transfer Program - Donor Application
- b. AD-1046 Form, Leave Transfer Program - Recipient Application
- c. OPM Form 1637, Application to Become a Leave Recipient Under the Emergency Leave Transfer Program
- d. OPM Form 1638, Request to Donate Annual Leave Under the Emergency Leave Transfer Program
- e. WH-380-E Form, FMLA Medical Certification for Employee's Serious Health Condition
- f. WH-380-F Form, FMLA Medical Certification for a Family Member's Serious Health Condition
- g. WH-385 Form, FMLA Medical Certification for Serious Injury or Illness of Covered Service member for Military Family Leave

The form(s) listed above can be accessed in the [APHIS](#) Electronic Forms Library.

## 9. RECORDS MANAGEMENT

Federal records created by this Directive must be maintained in accordance with the established [General Records Schedule \(GRS\)](#) and/or the [APHIS/AMS](#) Records

Management Handbook when applicable. If employees are named in an active litigation hold, Freedom of Information Act (FOIA) request, and/or other action, those records, regardless of media, must be preserved and maintained in their native format until otherwise notified by your Agency Records Officer and/or the Office of General Counsel.

- a. MRP Information Technology, Information Management Branch (MRP-IT, IMB) is the official record keeper of this Directive which is to be preserved permanently, per [Paperwork and Data Management \(PDM\) 4-1](#).
- b. Time and attendance clerks are the official record keepers of time and attendance records as well as supporting documentation, which will be retained for six (6) years after which time it may be destroyed if not needed for a business purpose. This supports the Agency's ability to adjudicate claims, in accordance with 5 CFR Part 178.

## **10. INQUIRIES AND ADDITIONAL INFORMATION**

- a. General inquiries on procedural matters regarding absence and leave issues should be directed to the servicing personnel office.
- b. Refer requests for policy interpretations for complex or recurring situations, as well as all questions regarding restoration of annual leave to the Leave Policy Specialist, Human Resources Policy Branch, MRPHR at 301-851-2929.
- c. Records management inquiries should be directed to your Program Records Management Liaison for [AMS](#) or [APHIS](#).
- d. The HRDG Subchapter 4630 can be accessed online via the [HRDG](#) Web site.
- e. This Directive can be accessed online via the [APHIS](#) and [AMS](#) Issuance Web sites.

/s/

Douglas Nash  
Deputy Administrator  
MRP Business Services