



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
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IN REPLY TO

NAVSEAINST 12000.2A
Ser 103/045
29 Apr 03

NAVSEA INSTRUCTION 12000.2A

From: Commander, Naval Sea Systems Command

Subj: TIMEKEEPING POLICY AND PROCEDURES FOR HEADQUARTERS AND PROGRAM EXECUTIVE OFFICES' CIVILIAN EMPLOYEES

Ref (a) 5 U.S.C. 6327
(b) OPM Handbook on Alternative Work Schedules
(c) DOD Directive 7000.14-R, Vol 8, Civilian Pay Policy and Procedures
(d) DOD Directive 1400.25-M, DOD Civilian Personnel Management System
(e) SECNAVINST 7000.11C
(f) SECNAVINST 5212.5D

Encl: (1 Certificate of Health Care Provider, Department of Labor Form WH-380

1. **Purpose.** To issue revised timekeeping policies and procedures for the Naval Sea Systems Command (NAVSEA) Headquarters and affiliated Program Executive Offices (PEOs) civilian employees.

2. **Cancellation.** NAVSEAINST 12000.2 of 31 October 2001

3. **Policy.** It is the policy of the Commander, Naval Sea Systems Command, that all supervisors shall assure office coverage during customer service hours, 0700 to 1630 Monday through Friday. NAVSEA's core hours are 0900 to 1500. This is the designated period of each workday when all personnel must either be on duty or on leave. Flexible windows are provided from 0700 to 0900 and 1500 to 1800. Exceptions to begin the workday as early as 0630 may be approved in writing by Directorates and PEOs. In the establishment of work schedules and arrival and departure times for civilian employees, supervisors shall consider the maintenance of a balanced work force to ensure efficient conduct of the Command's business, including effective response to emergency situations. Supervisors are responsible for the administration and authorization of overtime and leave, and the timely and accurate preparation, certification, and submission of time and attendance. The input of time and attendance may be assigned and certification authority may be delegated. However, the assignment and delegation of these duties does not relieve the

29 APR 2003

supervisor of the responsibility for the accuracy of time and attendance or the approval and administration of leave and overtime.

a Work Schedules.

(1) The following work schedules are authorized: Alternative work schedules (AWS) and compressed work schedules (CWS). CWS is authorized only for employees of NAVSEA 08. (Note: For this instruction NAVSEA's Alternative Work Schedules and OPM's Flexible Work Schedules are synonymous. See reference (a), <http://www.opm.gov/oca/aws/index.htm>.) A minimum 30-minute lunch break must be added to each work schedule. However, supervisors may authorize up to one hour for a lunch break. It may not be taken at the beginning or end of the workday to allow an employee to arrive late or leave early without charging leave.

(a) Flexitour - (AWS 1). Flexitour (AWS-1) is a fixed work schedule. The full time employee adheres to the same start/stop times each day (8 hours per day and 40 hours per week). For a part-time employee, the basic work requirement is the number of hours the employee is scheduled to work in the administrative workweek and the number of hours the employee is scheduled to work in the biweekly pay period.

(b) Gliding - (AWS 2). Gliding (AWS-2) is a flexible schedule, where start times may vary daily without notification within the established flexible hours (8 hours per day and 40 hours per week). For a part-time employee, the basic work requirement is the number of hours the employee is scheduled to work in the administrative workweek and the number of hours the employee is scheduled to work in the biweekly pay period.

(c) Variable Day - (AWS 3). Variable Day (AWS-3) is a flexible schedule whereby a full time employee may vary arrival and departure times and length of day with prior approval. A full time employee has a basic workweek requirement of 40 hours each week. For a part-time employee, the basic work requirement is the number of hours the employee is scheduled to work in the administrative workweek and the number of hours the employee is scheduled to work in the biweekly pay period.

(d) Variable Week - (AWS 4). Variable Week (AWS-4) is a flexible schedule whereby a full time employee may vary arrival and departure times, the length of the day, and number of hours worked each week. A full time employee has a 10 day, 80 hour biweekly schedule requirement. For a part-time

employee, the basic work requirement is the number of hours the employee is scheduled to work in the biweekly pay period.

(e) Maxiflex - (AWS 5). Maxiflex (AWS-5) is a flexible schedule that contains core hours on fewer than 10 workdays, whereby a full time employee may vary arrival and departure times, the length of the day, and has a basic work requirement of 80 hours for the biweekly pay period. For a part-time employee, the basic work requirement is the number of hours the employee is scheduled to work in the biweekly pay period.

(f) Compressed Work Schedule - (AWS 6). This schedule is available only to NAVSEA 08 employees. AWS 6 is a fixed work schedule. The full time employee adheres to the same start/stop times each day for eight of the ten work days (nine hours per day) during a biweekly pay period and the same start/stop times for one eight hour day during the same biweekly pay period. A full-time employee is required to work 80 hours in a biweekly pay period and this work must be scheduled for fewer than 10 days in a biweekly pay period. A part-time employee works fewer than 80 hours in a biweekly pay period and this work must be scheduled for fewer than 10 workdays in a biweekly pay period. NAVSEA 08 (or his delegatee) determines the number of hours a part-time employee must work in a biweekly pay period.

(2) Supervisors shall approve and monitor employee work schedules and arrival/departure times. An employee's regularly scheduled workday may not begin before 0630 or end after 1800.

(3) Participation in AWS 2 through AWS 5 is on a voluntary basis and no individual shall be required to participate. However, all requests to participate will be consistent with the mission requirements and workload demands. In some cases, a supervisor may find it necessary to require certain individuals or organizational components to remain on the same work schedule or to adjust employees' work hours (arrival and departure times) to accommodate the needs of the organization. Further, a supervisor may temporarily suspend or change the day off, or permanently terminate participation in AWS 2 through 5 within his/her organizational components for operational reasons.

(4) A supervisor who denies requested participation in AWS 2 through AWS 5 must notify the employee(s) in writing.

(5) Generally, work schedules shall be in effect for a minimum of one-year, to assist in mission planning and continuity of support. However, as stated above, the work

29 APR 2003

schedule of an individual or an organizational component may be changed more frequently by the supervisor if necessary to effectively meet work requirements, or at an employee's request as in the case of personal hardship.

(6) The AWS program should not result in the establishment of additional supervisory positions, or require any supervisor to extend his or her workday beyond the scheduled hours of work. In situations where the presence of a supervisor is required, line management will coordinate schedules of supervisory and non-supervisory personnel to ensure office coverage.

b Annual Leave, Compensatory Time and Credit Hours

(1) **Annual Leave and Compensatory Time.** Annual leave and compensatory time shall be approved in advance by supervisors, except in an emergency, and will be charged in 6-minute increments (1/10th of an hour). For employees on AWS-6, compensatory time can only be approved for irregular or occasional overtime work. AWS employees can request compensatory time for these purposes, as well as for regularly scheduled overtime work. Emergency annual leave shall be requested within two hours of the employee's normally scheduled arrival time.

(2) **Advanced Annual Leave.** The current leave year accrual of annual leave may be advanced if approved by the supervisor, and if there is reasonable assurance the employee will be in a duty status long enough to earn the advanced leave. Doubtful cases shall be disapproved. Subsequent lack of accrual may result in an indebtedness situation. Individuals subject to a letter of caution, letter of reprimand, or other more severe disciplinary action for leave abuse will not be advanced annual leave other than for extreme emergencies, such as serious illness or death of an immediate family member.

(3) **Approval Procedures.** Annual, compensatory, or advanced leave may be requested and approved via Request for Leave or Approved Absence (OPM Form 71) or by electronic mail. If the electronic mail option is elected, the employee shall e-mail a leave request to his/her supervisor who then shall approve or deny the request via return e-mail to the employee. The supervisor or respective administrative office must retain a copy of the OPM 71 or approval e-mail as supporting documentation for a period of three years in accordance with reference (c). Supervisors who deny a request for annual leave or cancel previously scheduled and approved annual leave will work with the employee to ensure there is ample opportunity to reschedule such annual leave. In rare situations where a

29 APR 2003

supervisor must deny properly requested annual leave or cancel previously scheduled and approved annual leave because of an "exigency of the public business", the supervisor must seek a determination or concurrence from SEA 10 on whether the situation should be considered an "exigency of the public business" prior to denial or cancellation.

(4) Restoration of Annual Leave. Annual leave will be scheduled and used throughout the year. Excess annual leave (use or lose), which is not taken by the end of the leave year, is subject to forfeiture. In the majority of cases, proper scheduling and use of leave will prevent employees from forfeiting excess annual leave. However, in rare cases where annual leave was properly scheduled and approved, and subsequently cancelled, restoration of the forfeited annual leave may be possible under some limited circumstances. These circumstances include situations where either an "exigency of the public business" (work related projects of emergency proportions) or the sickness of an employee interferes with the use of previously scheduled and approved annual leave and there is not ample time to reschedule and use the annual leave prior to the end of the leave year. In these situations the employee may request, via their supervisor, restoration of the forfeited leave. Procedures for restoration of forfeited annual leave are provided below.

(a) Memorandum to SEA 10 via Chain-of-Command submitted within 60 days from the date of forfeiture (end of leave year) which clearly states the reason for the request and includes all required documentation;

(b) Documentation Required:

1 Documentation, in writing, that the leave was scheduled before the start of the third pay period prior to the end of the leave year and in advance of the illness or exigency. Such documentation must include a request for Leave or Approved Absence (OPM 71 or email), which shows the date of the leave request, start and end dates of the leave, number of hours, and approval or disapproval with reason(s).

2 Supervisory documentation that scheduled and approved annual leave was cancelled and specific reason(s) for cancellation. If cancelled because of an exigency of the public business, provide documentation that the exigency determination was made by or concurred in by SEA 10 prior to cancellation, give specific details of the exigency, and provide beginning and ending dates of the exigency. If cancelled because of sickness of the employee, provide required medical documentation.

29 APR 2003

3 The date(s) the cancelled leave was rescheduled, start and end dates, and number of hours (OPM 71 or e-mail) or supervisory documentation as to why the cancelled leave could not be rescheduled for use prior to the end of the leave year.

(5) **Credit Hours.** These hours of work are performed at the employee's option with supervisor concurrence (NAVSEA Form 12000/1). They are distinguished from overtime in that they do not constitute overtime work, which is officially ordered and approved in advance by management. The maximum number of credit hours that may be carried over from one pay period to the next is 24 hours; no more than nine credit hours may be used in a pay period. Members of the Senior Executive Service are excluded from participation in credit hours regardless of the schedule worked. **Note: Credit hours cannot be earned by employees on AWS 6. See 5 USC 6121 (4).**

c. Sick Leave

(1) Sick leave may be used when an employee:

Receives medical, dental, or optical examination or treatment

(b) Is incapacitated by physical or mental illness, injury, pregnancy, or childbirth;

(c) Would, because of exposure to a communicable disease, jeopardize the health of others by his/her presence on the job; or

Must be absent from work for adoption-related activities

(2) Sick leave shall be charged in 6-minute increments (1/10th of an hour).

d. Family Care and Bereavement. An employee may use a limited amount of sick leave for family care and bereavement. Procedures for the use of sick leave for these purposes are provided below:

(1) Sick leave may be used to

(a) Provide care for a family member as the result of physical or mental illness, injury, pregnancy, childbirth, or medical, dental, or optical examination or treatment.

(b) Make arrangements necessitated by the death of a family member or attend the funeral of a family member.

29 APR 2003

(2) Family member of the employee is defined as follows

(a) Spouse and parents thereof

Children, including adopted children and spouses thereof;

Parents;

Brother and sisters and spouses thereof

(e) Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

(3) Full time employees may use up to 40 hours of sick leave each leave year for family care and bereavement purposes. An additional 64 hours may be used as long as the employee maintains a balance of at least 80 hours of sick leave in his/her sick leave account.

(4) Part-time employees are also covered and the amount of sick leave they may use for these purposes is pro-rated.

(5) Up to 40 hours of sick leave may be advanced for family care

(6) Supervisors are responsible for ensuring that the use of sick leave for family care does not exceed the above limitations.

e. **Advanced Sick Leave. Advanced Sick Leave.** With the exception of employees serving under a limited appointment or with a specified termination date, supervisors may approve the advancement of up to 240 hours of sick leave to an employee with a **medical emergency, serious disability or serious health condition**; or for purposes related to the adoption of a child. A medical emergency is defined as a medical condition of an employee or a family member of such employee 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. A serious health condition does not include routine physical, eye or dental treatment. Ordinarily, unless complications arise, the common cold, the flu, earaches, upset stomach, minor ulcers, headaches (other than migraines), routine dental or orthodontic problems, and periodontal disease are not serious health conditions. A maximum of 5 days of sick leave may be advanced for family care or bereavement purposes. The employee must provide medical certification that the sick leave is required for the dates the leave is requested and include a brief

29 APR 2003

diagnosis and prognosis in his/her request. Advanced sick leave should not be granted if it appears likely that the employee will not return to duty long enough to earn the leave. Advanced sick leave cannot be used until the employee's sick leave balance is exhausted. Upon separation, employees must repay advanced sick leave not earned unless the separation is caused by death, disability retirement, or a disability which prevents the employee from returning to duty.

f. **Approval Procedures.** Sick and advanced sick leave may be requested and approved via Application for Leave or Approved Absence (OPM 71) or by e-mail. If the e-mail option is elected, the employee shall e-mail a leave request to his/her supervisor and the supervisor shall approve or deny the request via return e-mail to the employee. The supervisor or Administrative Office must retain a copy of the OPM 71 or approved e-mail as supporting documentation for a period of 3 years in accordance with reference (c).

g Family and Medical Leave

(1) Under the Family and Medical Leave Act of 1993 (FMLA), covered employees are entitled to a total of 12 administrative workweeks of Leave Without Pay (LWOP) during any 12-month period for:

(a) The birth of a son or daughter and care of the newborn

(b) The placement of a son or daughter with the employee for adoption or foster care.

(c) The care of a spouse, son, daughter, or parent with a serious health condition.

(d) Employee's own serious health condition that makes the employee unable to perform the duties of his or her position.

(2) Upon the return from LWOP, the employee must be returned to the same or equivalent position. While on FMLA leave, the employee is entitled to maintain health benefits coverage. If the employee receives LWOP under the FMLA, they are responsible for paying the employee share of the health benefits premium.

(3) LWOP impacts an employee's annual and sick leave accrual as indicated in paragraph 3.n. below.

29 APR 2003

(4) The employee may choose to substitute annual leave for unpaid leave under the FMLA and may also substitute sick leave in those situations in which the use of sick leave is permitted.

5) For information regarding Family-Friendly Leave policies <http://www.opm.gov/oca/leave/html/levbro.htm>

h Organ Donor Leave.

(1) Employees who donate organs for transplants are authorized up to 30 days paid leave, in addition to annual and sick leave, for organ donation. The amount of leave for bone marrow donation is restricted to 7 days each calendar year under 5 U.S.C. 6327.

(2) For medical procedures and recuperation requiring absences longer than 30 days, employees may be granted additional time off in the form of sick and/or annual leave, advanced sick and/or annual leave, donated annual leave or leave without pay.

(3) The leave request must be accompanied by a certificate signed by the health care provider. Employees may use the U.S. Department of Labor Form WH-380, Certification of Health Care Provider, to indicate organ donation or provide the information by letter which must include the medical facts, the approximate date of the procedure, and the probable duration of incapacity. Medical re-certification may be required when the period of incapacity extends past the originally approved leave date.

i Religious Leave

(1) To the extent that modifications in work schedules do not interfere with the efficient accomplishment of an agency's mission, an employee whose personal religious beliefs require that the employee abstain from work at certain times of the workday or workweek must be permitted to work alternative work hours so that the employee can meet his/her religious obligation.

(2) The employee must notify his/her supervisor of his/her religious obligation and request alternative hours in order to earn religious leave to cover the observance(s). Unless the mission of the Agency would be impacted by the employee's absence, the supervisor must approve the religious leave earned and may determine whether the alternative work hours will be scheduled before or after the religious observance. An employee's request for time off should not be

29 APR 2003

granted without simultaneously scheduling the hours during which the employee will work to make up the time. This provides a clear record of the employee's adjusted work schedule. An employee should be allowed to accumulate only the number of hours of work needed to make up for previous or anticipated absences from work for religious observances in that year.

(3) The religious leave earned and taken shall be requested and approved via Application for Leave or Approved Absence (OPM 71) or by e-mail. If the e-mail option is elected the employee shall e-mail the request to his/her supervisor and the supervisor shall approve or deny the request via return e-mail to the employee.

(4) The alternative hours or days worked to earn religious leave do not create an entitlement to premium pay, including overtime. Overtime pay provisions of Title 5 United States Code (USC) for exempt employees and the Fair Labor Standards Act (FLSA) for non-exempt employees do not apply, regardless of the number of hours or days the employee works in excess of his/her normal work schedule.

(5) Religious leave earned is exempt from maximum pay limitations described in paragraph 3.q.(4) below.

(6) Alternative hours worked must be recorded in the employee's automated timesheet as religious time earned. When the employee uses the religious time earned for religious observance, it will be recorded as religious time taken on the employee's automated timesheet.

(7) Employees may earn up to forty hours of religious leave per year. Religious leave taken in advance must be earned within ninety days or it will automatically be converted to annual leave used. Religious leave earned may only be used for religious observances. If an employee is separated or transferred before using his or her religious leave earned, it will be paid at the employee's rate of basic pay in effect when the hours of work were performed.

(8) In lieu of earning religious leave to cover religious observances, employees may request annual leave.

j. Court Leave and Jury/Witness Fees.

(1) Employees are authorized court leave with pay when summoned to serve as a juror, or when summoned as a witness in a non-official capacity on behalf of any party in connection with any judicial proceeding in which the United States, the District of Columbia, or a State or local government is a party. GAO has

29 APR 2003

further clarified this provision and has held that where the employee is a party (e.g., plaintiff or defendant) to a judicial proceeding in which the federal, state or local government is also a party, the granting of court leave with pay is discretionary. In these instances, the employee may request annual leave. See Matter of Pasake, 59 Comp.Gen.290(1980) and Matter of Sweeney, B-201602, April 1, 1981.

(2) An employee who is under proper summons from a court to serve on a jury shall be granted court leave for each day that he or she serves on a jury or is required to remain on the premises of the court waiting for a call to jury duty. The employee is not entitled to court leave when he or she is excused or discharged by the court, either for an indefinite period, subject to call by the court, or for a definite period in excess of one day. Therefore, an employee may be required to return to duty or be charged annual leave if excused for a substantial part of the day. He/she must contact his/her supervisor and the supervisor shall determine if the employee shall return to duty or be charged annual leave. However, the employee may not be required to return to duty if it would cause hardship for him or her.

(3) If an employee is on annual leave when called for jury duty or witness service, court leave shall be substituted. No charge shall be made to annual leave for court service.

(4) The following information pertaining to jury duty or witness service shall be forwarded to SEA 1033:

(a) A copy of the court summons shall be forwarded prior to the date the employee is to report to court.

(b) When the employee has completed jury duty or witness service, the original Certificate(s) of Attendance shall be forwarded. The Certificate of Attendance shall indicate the inclusive dates of service.

(c) Fees received for jury or witness services on an employee's scheduled workday must be refunded to the government, by personal check or money order. The personal check or money order should be made payable to the Defense Finance and Accounting Service (DFAS) and mailed to: DFAS Cleveland Center; ATTN: FTBCB, RM 2848; 1240 East 9th Street; Cleveland, OH 44199. Fees not submitted within 45 days after completion of jury duty or witness service are subject to payroll deduction.

(d) Fees received for jury or witness services on a scheduled non-workday need not be refunded to the government.

(e) Allowances for, or reimbursement of, expense paid to an employee for jury duty or witness services need not be refunded to the government. If there is any question as to whether a payment is for fees or expenses, the employee shall request a court official to provide a statement that identifies and separates the amounts paid for allowance and reimbursements

k Military Leave.

(1) Eligible employees are entitled to military leave as set forth in reference (b).

(2) When military leave is recorded, a copy of the orders directing the employee to active military duty, and a certified verification of attendance indicating completion of training duty, must be forwarded to SEA 1033 when the employee returns to duty.

(3) Military leave is charged on a calendar-day basis. No charge is made to non-workdays at the beginning and end of a period of absence for active military duty, but all intervening non-workdays falling within the period of active military duty dates stated on the orders must be charged to military leave. If an employee has separate sets of orders or orders which cover separate periods of time, with return to civilian status between the periods covered in the orders, military leave shall not be charged for the time the employee is returned to civilian status.

(4) Military leave may be taken intermittently, a day at a time, or all at one time, regardless of the number of training sessions

1. Continuation of Pay (COP). COP is an entitlement under the Federal Employees' Compensation Act (FECA) for traumatic on-the-job injuries and disease sustained while in the performance of duty.

(1) Employees shall notify their supervisor immediately whenever they have a work related injury.

(2) Supervisors shall direct employees to contact their Personnel Manager Advisor (PMA) of the Command Navy Region, SEA 10712, Human Resource Office (HRO) or his/her respective Administrative Officer for information and assistance in applying for COP.

(3) When an employee sustains a disabling job-related traumatic injury while on the job, he or she may be entitled to COP for up to forty-five calendar days.

29 APR 2003

(4) The period charged to the forty-five day entitlement begins with the first day of disability or medical treatment following the date of injury, provided that the absence began within 45 days after the injury.

(5) If the employee is unable to return to work following an injury, COP shall be charged against the forty-five day entitlement for the day the medical documentation shows the employee was disabled, including holidays, weekends, and regular days off. For example, if the physician indicates that disability shall continue through Saturday for an individual who has Saturday and Sunday off, COP shall be charged through Saturday.

(6) If the employee is partially disabled following the injury, and continues to work several hours each workday, each day or partial day of absence from work is chargeable as a full day of COP against the forty-five day entitlement.

(7) If the employee has returned to work, but must receive medical attention related to the injury for a portion of a workday, a full day of COP will be counted against the forty-five day entitlement, even though the employee is not entitled to be absent for the entire day. For example, if an employee must use three hours in order to receive physical therapy for the effects of the injury, he or she is entitled to only three hours of COP even though one full calendar day will be charged against the forty-five day entitlement. If an employee is absent for all or part of the remaining workday, the time loss should be covered by leave, leave without pay, absence without leave, etc.

Administrative Leave

(1) Administrative leave is authorized by the Commander in situations where it is necessary to close all or part of the Command and administratively excuse the non-emergency civilian workforce. This includes unanticipated curtailment of operations based on extreme weather, natural disasters, and unforeseen interruptions of transportation or building service that are potential health or safety risks. This authority is not intended to cover extended periods of interrupted or suspended operations that can be anticipated sufficiently in advance.

(2) During activity closure due to inclement weather, non-emergency AWS 1 through AWS 4 full time employees are authorized 8 hours Administrative Leave. The amount of excused absence for an AWS 5 or AWS 6 employees should be based on his/her typical schedule. If the closure occurs on the day that

29 APR 2003

is the employee's typical day-off, he/she has no entitlement to an additional day off (reference (d)).

n. Excused Absence. Excused absence refers to an authorized absence from duty without loss of pay and without charge of paid leave. Periods of excused absence are considered part of an employee's basic workday even though the employee does not perform his or her regular duties, and the absence need not be recorded on the employee's timesheet. When appropriate, supervisors may authorize up to fifty-nine minutes for an excused absence. Authorization in excess of fifty-nine minutes may not be used to create or extend a holiday.

o Leave without Pay (LWOP).

(1) LWOP is a temporary non-pay status and absence from duty granted at the employee's request. LWOP will be approved in advance by the supervisor. Approved annual and sick leave may be converted to LWOP by the payroll system if the employee's leave balances are insufficient.

(2) Accumulation of LWOP impacts full time employee's annual and sick leave accrual in increments of 80 hours as indicated below:

(a) If 80 hours of LWOP is recorded for a pay period, the employee will not receive his/her annual and sick leave accrual for that pay period.

(b) If LWOP is recorded over multiple pay periods, the employee will lose one pay period's annual and sick leave accrual each time he/she accumulate 80 hours of LWOP during the leave year.

(3) Accumulation of LWOP does not impact a part-time employee's annual and sick leave accrual. A part-time employee's leave accruals are calculated based on the number of hours worked.

(4) LWOP may be requested and approved via Application for Leave or Approved Absence (OPM 71) or by e-mail. If the e-mail option is elected, the employee shall e-mail a leave request to his/her supervisor and the supervisor shall approve or deny the request via return e-mail to the employee. The supervisor or Administrative Office must retain a copy of OPM 71 or approval e-mail as supporting documentation for a period of three years in accordance with reference (f).

29 APR 2003

p Holidays.

(1) When a holiday falls on a non-workday of the employee on a CWS, the employee's preceding workday will be the designated "in lieu of" holiday.

(2) A full-time employee on AWS who is prevented from working on a day designated as a holiday by Federal statute or Executive Order is entitled to his or her rate of basic pay on that day for 8 hours.

q Overtime

(1) Supervisors are responsible for reviewing overtime usage and will ensure that the use of overtime to accomplish work requirements is minimized through adequate planning, establishment of proper lead times, proper scheduling of leave. Appropriate approvals using NAVCOMPT Form 2282/2, "request and authorization for Overtime/Comptime", is also required (Reference e).

(2) Overtime is authorized and approved work performed in excess of the employee's normal work schedule hours. Descriptions of the different types of overtime are provided below:

(a) Regular Overtime. Overtime worked that is officially scheduled and authorized for prescribed days and hours on a continuing basis and which has become a regular part of the employee's workweek.

(b) Irregular Overtime. Overtime work requested and approved on an individual case basis to meet specific work requirements that cannot be accomplished within the normal workweek.

(c) Callback Overtime. Irregular overtime that occurs when it is necessary to return an employee to his or her workplace after an interval of at least one non-duty hour after the close of the regular workday.

(d) Compensatory Time. Time off with pay from an employee's workweek that is granted in lieu of payment for an equal amount of overtime work.

Authorization of Overtime and Compensatory Time.

(a) It is NAVSEA policy that regular overtime will not be authorized on a routine basis. Only irregular overtime, callback overtime, and compensatory time should be authorized.

29 APR 2003

(b) At a minimum, the overtime authorizing official shall be at least one organizational level above the supervisory level requesting the use of irregular overtime or compensatory time.

(c) Authorization for overtime or compensatory time shall be in writing and include a justification of why the work is required. The authorization must be in advance of the performance of work, except when the exigency of the situation prevents prior approval. When an exigency precludes prior approval, overtime and compensatory time must be approved and documented as soon as possible after the work has been performed.

(d) NAVCOMPT Form 2282 or e-mail will be used to document the request and approval of overtime and compensatory time, and to provide supporting documentation. If the e-mail option is selected, the requestor shall e-mail an overtime request to his/her authorizing official, and the authorizing official shall approve/deny the request via return e-mail.

(e) Employees with basic pay rates below GS-10, Step 10, are allowed to choose between overtime pay and compensatory time-off.

(f) Compensatory time cannot be earned for holiday work

(g) Overtime or compensatory time will be authorized in accordance with paragraph 8 (3)(c) for exempt employees performing work at home or in quarters during temporary duty (TDY), or while attending training. Overtime or compensatory time for travel outside normal duty hours must be authorized in accordance with 5 C.F.R. 550.112 (g).

(h) Under the provisions of the Fair Labor Standards Act (FLSA), non-exempt employees must be compensated for any overtime work performed for the benefit of the command, whether authorized or not, provided the employee's supervisor knew or had reason to believe the work was being performed and had the opportunity to prevent it. This includes travel on weekends and non-duty hours. Non-exempt employees may not be required to earn compensatory time instead of being paid overtime unless they request it.

(i) If an employee in TDY status is required to perform work on his or her scheduled regular day off, the employee and supervisor may request and approve a temporary change in work schedule in lieu of authorizing overtime or compensatory time.

29 APR 2003

(j) Generally, overtime and compensatory time should not be authorized in the same week that an employee is scheduled for annual leave.

(4) Guidelines for Payment of Overtime and Compensatory Time.

(a) Nonexempt employee. Nonexempt employees are covered by the minimum wage and overtime provisions of the FLSA. FLSA requires that nonexempt employees be compensated for hours worked in excess of the standard workweek at a rate not less than one and one-half times the employee's regular rate of pay.

(b) Exempt employee. Exempt employees are excluded from FLSA provisions and are covered by overtime and compensatory time provisions of Title 5 USC. Overtime is paid at the rate of 1.5 times the GS-10, step 1, regular hourly rate, regardless of the employee's regular rate of pay.

(c) Demonstration Project. Supervisory positions are exempt from FLSA.

(d) The employee's exempt or nonexempt status is recorded in block 10 of his or her Leave and Earnings Statement and block 35 of his or her SF 50.

(e) There is no limitation on the number of hours of compensatory time an employee may accumulate, but compensatory time will automatically be paid at the overtime rate at which it was earned if it is not used by the end of the 26th pay period after it was earned.

(f) Compensatory time earned is not automatically paid when an employee changes activities or Unit Identification Code (UIC). Compensatory time will be automatically paid if an employee separates or transfers to another Department of Defense Agency.

(g) In accordance with reference (a), members of the Senior Executive Service (SES) are excluded from payment of overtime or compensatory time.

(h) Aggregate compensation (night pay, compensatory pay, overtime pay, premium pay, pay for Sunday and holiday work, basic pay) for any pay period may not exceed the maximum rate payable for a GS 15, step 10 (Demonstration Project NH-IV pay range).

29 APR 2003

r Certification of Time and Attendance

(1) The certification of time and attendance is an authorization for the expenditure of government funds. At the end of each pay period, each employee's time and attendance shall be certified correct by the employee's supervisor, acting supervisor, or other designated representative authorized to act as a certifying official.

(2) Certification must be based on knowledge and appropriate internal controls to ensure that accurate and timely data is recorded for all employees.

(3) Certifying officials shall ensure that the appropriate supporting documentation is in place prior to certifying time and attendance.

(4) Employees may not certify their own time and attendance

s. Cost Center. Each employee will be assigned a cost center, which is recorded in block 43 of the employee's SF 50. An employee's cost center is updated in the Defense Civilian Payroll System (DCPS) or by the personnel database via SF 50 action. Time and attendance records and payroll related reports, such as the Leave Availability, Overtime and Compensatory Usage Report, are sorted by cost center. Identification of each employee with the proper cost center is critical to the correct and efficient input of time and attendance and the review of reports. Changes to an employee's cost center must be submitted to the Human Resources Office (SEA107) via an SF 52, Request for Personnel Action.

t Unit Identification Code (UIC).

(1) A UIC is a five character alpha-numeric code used to identify organizational entities with standard Department of Defense (DOD) systems and internal Department of Navy (DON) systems.

(2) Each employee is assigned a UIC which is recorded in block 41 of the SF 50.

(3) An Employee's labor cost is charged according to the assigned UIC. Identification of each employee to the proper UIC is critical to ensuring that labor cost is charged correctly.

(4) Updates and changes to an employee's UIC must be submitted via an SF 52, Request for Personnel Action.

29 APR 2003

4. **Protection of Records.** Time and attendance data and supporting documentation contain information that is protected by the Privacy Act, and should be stored in an appropriate secure container or password protected automated application when not being used for official purposes. Official purposes are:

a. To record time and attendance and to maintain leave records for civilian employees.

b. To provide time and attendance information to individual employees and management; to provide audit trails for DoDIG, Navy Audit Service, and internal audit procedures; and to provide federal, state, and city tax information to appropriate authorities.

5 **Retention of records**

a. Certified time and attendance reports shall be retained for six years in accordance with reference (f).

b. Retention of other time and attendance support documents in accordance with reference (f):

(1) Overtime Authorization Requests—Destroy when 4 years old.

(2) Alternative Work Schedule Records—Destroy when years old.

3 Absence and Leave Records—Destroy when 3 years old

6 **Responsibilities.**

a. **The NAVSEA Vice Commander, Program Executive Officers, Deputy Commanders, and Directors of Staff Offices shall:**

(1) Designate supervisors and certifying officials who will be responsible for the administration of timekeeping functions within their organizations;

(2) Hold supervisors and certifying officials accountable for proper leave administration and the accurate recording and reporting of time and attendance for employees;

(3) Ensure that the AWS program is managed equitably within their organizations;

(4) Ensure that overtime and compensatory time is limited to cases of necessity, is properly approved in

29 APR 2003

accordance with references (a) and (e) and this instruction is performed within budget constraints;

(5) Ensure that employees within their organizations are assigned to the appropriate cost centers and UICs, and that updates and changes to these codes are submitted via SF 52, Request for Personnel Action;

(6) Designate personnel to provide timekeeping oversight, staff support and training to supervisors and certifying officials within their organizations, and ensure accurate and complete time and attendance data is recorded, approved, and retained;

(7) Ensure that timekeeping oversight personnel are trained by SEA 103;

(8) Ensure that a current list of oversight personnel and certifying officials for each organization is maintained.

b Supervisors and Certifying Officials as delegated shall:

(1) Receive appropriate training;

(2) Approve or disapprove work schedules and employee arrival and departure times;

(3) Approve or disapprove employees leave in accordance with references (a) and (b) and this instruction;

(4) Ensure that overtime or compensatory time is worked only when properly authorized and approved according to references (a) and (b) and this instruction;

(5) Ensure that employees record time and attendance data, and protect and retain all supporting documentation in accordance with references (a) and (b) and this instruction;

(6) Review and certify biweekly, corrected, and supplemental time and attendance information;

(7) Ensure that employees injured on the job are directed to HRO (SEA 10712) or respective Administrative Officer for guidance and procedures on how to apply for COP;

(8) Ensure that employees are familiar with the requirements of this instruction and that they input their time and attendance into the automated system prior to certification;

29 APR 2003

(9) Promptly report to an employee any change(s) made to his/her timesheet during certification that is not supported by documentation.

c. Administrative Offices personnel shall:

Receive training, as provided by SEA 103;

(2) Provide staff support and serve as the principal points of contact for time and attendance matters within their department or staff office;

(3) Train new certifying officials

(4) Ensure that Work Schedule/Change Forms for new employees and changes to existing employee work schedules are input to the automated time and attendance system;

(5) Review the following automated time and attendance reports on the morning after the close of the pay period: Incorrect Hours Report and the Non-Certified Report. Ensure corrections/certification are/is made NLT 1030 on that day;

(6) Ensure that prior pay corrections are cleared up promptly and entered into the automated time and attendance system;

(7) Ensure that a hard copy of the Certification Listing for Manually Certified Employees is printed and signed by the certifying supervisor when time and attendance is NOT certified prior to submission to DCPS; and

(8) Ensure that all documents pertaining to time and attendance are protected and retained in accordance with references (a) and (b) and this instruction.

d Employees shall

1 Comply with the provisions of this instruction

(2) Review or record time and attendance entries in the automated time and attendance system; correct errors prior to the end of the pay period;

(3) Obtain approval from supervisors prior to using non-emergency leave, and report use of emergency leave to supervisors or certifying officials within two hours of the employee's normally scheduled arrival time;

(4) Work overtime or compensatory time and credit hours only after receiving proper supervisory approval;

29 APR 2003

(5) If desired, request that their supervisor approve their participation in an AWS other than AWS 1;

(6) Submit personal payroll changes, such as changes to tax deductions, bonds, allotments, direct deposit, or home address through the Directorate/PEO Administrative Offices to SEA 1033;

(7) Forward appropriate court leave documentation and jury or witness fees to SEA 1033 as required by this instruction; and

(8) As appropriate, forward military leave documentation to SEA 1033 as required by this instruction.

e SEA 103 shall:

(1) Maintain this instruction on a current basis;

(2) Provide general guidance and respond to inquiries concerning timekeeping procedures;

(3) Designate personnel to provide payroll support and training as needed;

(4) Ensure resolution of payroll problems relating to time and attendance inputs and employee information;

(5) Provide trained payroll Customer Service Representatives (CSR);

(6) Biweekly, review the automated time and attendance Incorrect Hours Report and Non-Certified Report prior to the transmission of employee timekeeping information to DCPS; and

(7) Be the Office of Primary Responsibility (OPR) for timekeeping audits and employee payroll problems.

f. SEA 00I shall: Provide automated time and attendance Help Desk support.

g. NAVSEA Inspector General shall: Be responsible for annually reviewing and reporting to COMNAVSEA on the administration of the payroll function.

29 APR 2003

7. Action. All NAVSEA personnel assigned will fully discharge their respective responsibilities under this instruction.



A. W. Lengerich
Vice Commander

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Certification of Health Care Provider
(Family and Medical Leave Act of 1993)

U.S. Department of Labor

Employment Standards Administration
Wage and Hour Division



(When completed, this form goes to the employee, **not to the Department of Labor.**)

OMB No.: 1215-0181
Expires: 06/30/02

1. Employee's Name

2. Patient's Name (If different from employee)

3. Page 4 describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition¹ qualify under any of the categories described? If so, please check the applicable category.

(1) _____ (2) _____ (3) _____ (4) _____ (5) _____ (6) _____, or None of the above _____

4. Describe the **medical facts** which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:

5. a. State the approximate **date** the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's present **incapacity**² if different):

b. Will it be necessary for the employee to take work only **intermittently** or to work on a **less than full schedule** as a result of the condition (including for treatment described in Item 6 below)?

If yes, give the probable duration:

c. If the condition is a **chronic condition** (condition #4) or **pregnancy**, state whether the patient is presently incapacitated² and the likely duration and frequency of **episodes of incapacity**²:

¹ Here and elsewhere on this form, the information sought relates only to the condition for which the employee is taking FMLA leave.

"Incapacity," for purposes of FMLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom.

6. a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments.

If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number of and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

- b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments:

- c. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g., prescription drugs, physical therapy requiring special equipment):

-
7. a. If medical leave is required for the employee's absence from work because of the employee's own condition (including absences due to pregnancy or a chronic condition), is the employee unable to perform work of any kind?

- b. If able to perform some work, is the employee unable to perform any one or more of the essential functions of the employee's job (the employee or the employer should supply you with information about the essential job functions)? If yes, please list the essential functions the employee is unable to perform:

- c. If neither a. nor b. applies, is it necessary for the employee to be absent from work for treatment?

8. a. If leave is required to care for a family member of the employee with a serious health condition, does the patient require assistance for basic medical or personal needs or safety, or for transportation?

b. If no, would the employee's presence to provide psychological comfort be beneficial to the patient or assist in the patient's recovery?

c. If the patient will need care only intermittently or on a part-time basis, please indicate the probable duration of this need:

Signature of Health Care Provider

Type of Practice

Address

Telephone Number

Date

To be completed by the employee needing family leave to care for a family member:

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

Employee Signature

Date

NAVSEAINST 12000.2A

A "Serious Health Condition" means an illness, injury impairment, or physical or mental condition that involves one of the following:

1. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity² or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment

(a) A period of incapacity² of more than three consecutive calendar days (including any subsequent treatment or period of incapacity² relating to the same condition), that also involves:

- (1) Treatment³ two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
- (2) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment⁴ under the supervision of the health care provider.

3. Pregnancy

Any period of incapacity due to pregnancy, or for prenatal care.

4. Chronic Conditions Requiring Treatments

A chronic condition which:

- (1) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- (2) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- (3) May cause episodic rather than a continuing period of incapacity² (e.g., asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-term Conditions Requiring Supervision

A period of Incapacity² which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of Incapacity² of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

This optional form may be used by employees to satisfy a mandatory requirement to furnish a medical certification (when requested) from a health care provider, including second or third opinions and recertification (29 CFR 825.306).

Note: Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

³ Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

⁴ A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

Public Burden Statement

We estimate that it will take an average of 10 minutes to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND THE COMPLETED FORM TO THIS OFFICE; IT GOES TO THE EMPLOYEE.