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GOVERNOR

THE ADJUTANT GENERAL
GARY L. SAYLER

NGID-TAG

April 2011

MEMORANDUM FOR ALL MEMBERS, IDAHO NATIONAL GUARD

SUBJECT: Technician Voluntary Leave Transfer Program (IDNG-11)

1. The purpose of this policy is to set forth procedures and requirements for the Voluntary Leave Transfer Program.
2. Please refer to the HRO Policy Letter, 11-004, Technician Voluntary Leave Transfer Program (attached).
3. Questions regarding the leave transfer program and requests for copies of Forms OF 630 and OF 630-A should be directed to the Employee Relations Specialist at 422-4212.

A handwritten signature in black ink, appearing to read "Gary L. Sayler".

GARY L. SAYLER
Major General
Commanding General

Attachment: HRO Policy Letter, 11-004

DISTRIBUTION:
Electronic



MILITARY DIVISION, STATE OF IDAHO

IDAHO NATIONAL GUARD
HUMAN RESOURCE OFFICE
4794 FARMAN STREET
BOISE, IDAHO 83705

ID-JFHQ-HRO

28 April 2011

MEMORANDUM FOR ALL MEMBERS, IDAHO NATIONAL GUARD

SUBJECT: HRO Policy Letter, 11-004, Technician Voluntary Leave Transfer Program

1. The purpose of this memorandum is to set forth procedures and requirements for the Voluntary Leave Transfer Program. This memorandum applies to all permanent competitive and military technicians of the Air and Army National Guard of Idaho. This memorandum also applies to long-term indefinite and temporary employees whose employment is expected to last at least one year after the date of the request for donated leave.

2. This program allows an employee who has a *medical emergency*, and is without available paid leave, to receive transferred annual leave from other employees with concurrence of management officials. The Office of Personnel Management established a leave-sharing program under the provisions of Public Law 103-103, which was codified under 5 CFR §630-906. The program permits federal employees (technicians) to donate annual leave to other federal employees affected by a medical emergency.

3. Program Definitions.

a. Leave Donor: A technician who voluntarily provides a written request to make an irrevocable, approved transfer of annual leave to the account of a leave recipient.

b. Leave Recipient: A current Idaho National Guard technician who has an approved application to receive annual leave from one or more leave donors.

c. Medical emergency: A medical condition of an employee or a *family member* of such employee that is expected to require a technician'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.

d. Substantial loss of income: The agency must determine that the absence from duty without available paid leave (excluding advanced leave) is, or is expected to be, at least 24 work hours.

e. **Family Member:** The definition of *family member* covers a wide range of relationships, including spouse; parents; parents-in-law; children; brothers; sisters; grandparents; grandchildren; step parents; step children; foster parents; foster children; guardianship relationships; same sex and opposite sex domestic partners; and spouses or domestic partners of the aforementioned, as applicable.

f. **Leave Limit:** The leave for temporary employees is limited to no more than 160 hours.

g. **Approving Official:** The Human Resource Officer acts as the final approving official for applications to become recipients of transferred annual leave.

h. **Agency:** The Idaho National Guard.

4. Qualifying to become a Leave Recipient.

a. The applicant must demonstrate the medical emergency is likely to result in a substantial loss of income.

b. The agency may not consider any advanced leave that an employee may have when determining qualification.

c. An employee may transfer leave to an employee of another agency only when:

- (1) The donor is a family member employed by another agency;
- (2) The leave recipient's agency believes that leave donations within the agency may not be sufficient to meet the recipient's needs; or
- (3) The leave recipient's agency concludes that the transfer of leave from another agency furthers the purpose of the voluntary leave transfer program.

d. A leave recipient's employing agency shall not transfer annual leave to a leave donor's immediate supervisor.

5. **Application to Become a Leave Recipient.** A technician who has been affected by a medical emergency may make application using Optional Form 630, Leave Recipient Application Under the Voluntary Leave Transfer Program attaching documentation from the physician showing the diagnosis, prognosis, and duration of illness. If the technician is not capable of making application on his or her own behalf, the supervisor should contact the Employee Relations Specialist for assistance.

6. Approval of Application to Become a Leave Recipient:

a. Within five (5) workdays from the date of receipt of application, the supervisor verifies and endorses the application with a concur or non-concur statement, then forwards the application to the HRO.

b. The HRO will:

(1) Determine if the medical emergency meets the definition of a hardship that is likely to require the technician's absence from duty without available paid leave (excluding advanced leave) is for at least 24 work hours.

(2) Announce the opportunity for potential donors to contribute leave to the applicant's leave account, if the application is validated.

(3) Notify the employee in writing that his/her request was approved or disapproved.

(4) Forward a copy of the request for leave transfer and the approval to the civilian pay technician and the first level supervisor.

7. Transfer of Annual Leave from Donor.

a. A technician may submit to HRO a voluntary, irrevocable request to transfer whole hours of accrued annual leave to the annual leave account of an approved leave recipient. The donor uses Optional Form (OF) 630-A, Request to Donate Annual Leave to Leave Recipient (Within Agency) Under the Leave Transfer Program. Leave may be donated to who are approved leave recipients in a federal agency outside of the National Guard. Those employees will submit (OF) 630-B, Request to Donate Annual Leave to Leave Recipient (Outside Agency).

b. Annual leave transferred may be substituted retroactively for periods of leave without pay (LWOP) or used to liquidate an indebtedness for advanced annual or sick leave during the current leave year.

8. Limitations on Donation of Annual Leave.

a. Potential leave donors must have the specified number of hours of annual leave already accrued. Donating leave earned in future pay period is prohibited.

b. In any one leave year, a leave donor may donate a maximum of one-half the amount of annual leave he/she would be entitled to accrue during the leave year in which the donation is made.

9. Termination of Medical emergency.

a. The medical emergency affecting a leave recipient shall be terminated under one of the following circumstances:

(1) When the leave recipient's employment terminates.

(2) At the end of the biweekly pay period in which the first level supervisor/HRO determines that the recipient is no longer affected by the medical emergency.

(3) At the end of the biweekly pay period in which the HRO received an approved application for disability retirement from the Office of Personnel Management.

b. The leave recipient's first level supervisor shall continuously monitor the status of the medical emergency to ensure that the leave recipient continues to be affected by a medical emergency. The first level supervisor will notify the HRO of the date the leave recipient returns to work.

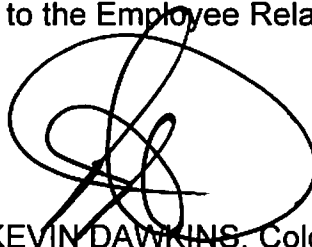
c. Any unused transferred leave remaining to the credit of a leave recipient after the medical emergency will be restored to the leave donor(s).

10. Prohibition of Coercion.

a. A technician may not directly or indirectly intimidate, threaten, or coerce any other technician for the purpose of interfering with any right such technician may have with respect to donation, receiving, or using transferred annual leave.

b. The term "intimidate, threaten, or coerce" includes promising to confer or conferring any benefit (such as an appointment or promotion or compensation) or effecting or threatening to effect any reprisal (such as deprivation of appointment, promotion, or compensation).

11. Questions regarding the leave transfer program and requests for copies of Forms OF 630 and OF 630-A should be directed to the Employee Relations Specialist at 422-4210.

A handwritten signature in black ink, appearing to be 'K. Dawkins', enclosed within a large, loopy oval shape.

KEVIN DAWKINS, Colonel, IDANG
Human Resource Officer