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FACT SHEET: VOLUNTARY LEAVE TRANSFER PROGRAM

Under the Voluntary Leave Transfer Program (VLTP), a covered employee may donate annual leave *directly* to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave. Each agency must administer a voluntary leave transfer program for its employees. There is no limit on the amount of donated annual leave a leave recipient may receive from the leave donor(s). However, any unused donated leave must be returned to the leave donor(s) when the medical emergency ends. An employee may participate concurrently in both the VLTP and the [Voluntary Leave Bank Program](#), if available.

Definitions

Medical Emergency:

A *medical emergency* is a medical condition of either the employee or the employee's *family member* (see below) that is likely to require the employee to be absent from duty for a prolonged period and to result in a substantial loss of income because of the employee's lack of available paid leave.

Note: The threshold for "a substantial loss of income" is absence (or expected absence) from duty without available paid leave for at least 24 work hours for a full-time employee. (See **Approval or Disapproval of Application to Become a Leave Recipient**)

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. The list of family members for whom an employee may request donated annual leave under the VLTP (as well as important associated definitions for the terms *son or daughter*, *parent*, *domestic partner*, and *committed relationship*) may be found in the fact sheet entitled [Definitions Related to Family Member and Immediate Relative for Leave Purposes](#).

Available Paid Leave:

Available paid leave includes an employee's accrued, accumulated, recredited, and restored annual or sick leave. It does not include advanced annual or sick leave, any annual or sick leave in an employee's set aside leave accounts which has not yet been transferred to the employee's regular annual or sick leave account, or other forms of paid time off (i.e., credit hours under flexible work schedules, compensatory time off, or religious compensatory time off).

Note: An employee is entitled to a total of 12 weeks of sick leave each year for all family care purposes. This means if the employee is applying to the VLTP for a medical emergency affecting a family member and the employee has already exhausted his or her entitlement to 12 weeks of sick leave for family care in that leave year, any remaining sick leave is not considered available paid leave and he or she would not be required to exhaust his or her sick leave balance before being eligible for donated leave.

Application to Become a Leave Recipient

An employee should apply in writing to his or her agency to become a leave recipient. (See "Forms" below for an optional application form.) If the member is not capable of making written application, a personal representative may make the application on behalf of the employee.

Each application should include:

- The name, position title, and grade or pay level of the potential leave recipient.
- The reasons transferred leave is needed, including a brief description of the nature, severity, and anticipated duration of the medical emergency, and if it is a recurring one, the approximate frequency of the medical emergency affecting the potential leave recipient.
- If required by the potential leave recipient's agency, certification regarding the medical emergency from one or more physicians or other appropriate experts. (The agency must pay the expenses associated with obtaining agency-required certification from more than one source.)
- Any additional information required by the potential leave recipient's employing agency.

Note: When an employee requests leave transfer for a family member, the agency may require the employee to document his or her relationship with that family member. Agencies should establish consistent rules and follow the same documentation requirements for all relationships, but agencies have authority to request additional information in cases of suspected leave abuse.

Approval or Disapproval of Application to Become a Leave Recipient

A potential leave recipient's employing agency must determine that a full-time employee's absence from duty without available paid leave because of the medical emergency is (or is expected to be) at least 24 work hours, which may be consecutive or intermittent. For a part-time employee or an employee on an uncommon tour of duty, the period of absence without paid leave is prorated. This period of unpaid absence qualifies as a substantial loss of income for purposes of the medical emergency determination.

The employing agency must review the employee's application and notify the employee of the approval or disapproval of the application within 10 calendar days (excluding Saturdays, Sundays, and legal public holidays) after the date the application is received (or the date established by the agency, if that date is later). If disapproved, the agency must give the reason for its disapproval.

An employee may receive donated annual leave when he or she becomes an approved leave recipient.

Use of Donated Annual Leave

A leave recipient may use donated annual leave only for purposes related to the medical emergency for which the leave recipient was approved. Except for leave in set-aside accounts (described below), a leave recipient must use any accrued annual leave (and sick leave, if applicable) before using transferred annual leave.

Annual leave transferred under the VLTP to a leave recipient may be -

- Substituted retroactively for any period of leave without pay used because of the medical emergency; or
- Used to liquidate an indebtedness incurred by the leave recipient for advanced annual or sick leave used because of the medical emergency.

Annual leave transferred under the VLTP to a leave recipient may not be -

- Transferred to another leave recipient except by election of the leave donor;
- Included in a lump-sum payment for annual leave; or
- Recredited to a former employee who is reemployed by a Federal agency.

Set-Aside Accounts

While using donated leave, a leave recipient may accrue no more than 40 hours of annual leave and 40 hours of sick leave in "set-aside accounts." The leave in the set-aside accounts will be transferred to the employee's regular leave accounts when the medical emergency ends or if the employee exhausts all donated leave. Leave in set-aside accounts is not available for use by the employee until transferred to the employee's regular leave accounts.

An employee who returns to work part-time and who uses donated leave part-time accrues leave in his or her regular annual and sick leave accounts for the time spent in work status and in his or her set aside annual and sick leave accounts for the time spent in shared leave status (when using donated leave).

Limitations on Leave Donations

In any leave year, an employee may donate not more than one-half of the amount of annual leave he or she would accrue during the leave year. An employee with "use or lose" annual leave may donate the lesser of one-half of the annual leave he or she would accrue in a leave year or the number of hours remaining in the leave year for which he or she is scheduled to work and receive pay. These limitations apply to a combined total amount of annual leave donated by an employee under the VLTP and an agency leave bank program. Each agency must establish written criteria for waiving the limitations on donating annual leave.

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

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

Termination of the Medical Emergency

The medical emergency terminates:

- When the leave recipient's Federal service is terminated;
- At the end of the biweekly pay period in which the leave recipient provides written notice that the medical emergency is over;
- At the end of the biweekly pay period in which the agency determines, after written notice to the leave recipient and opportunity for response, that the medical emergency is over; or
- At the end of the biweekly pay period in which the agency receives notice that the leave recipient has been approved for disability retirement.

The agency must monitor the status of the medical emergency to ensure that it continues to affect the leave recipient. When the medical emergency terminates, the agency may not grant further requests for transfer of annual leave to the leave recipient.

Even though an employee may not be affected currently by a medical emergency, an agency may deem a medical emergency to continue for the purpose of providing a leave recipient time to receive adequate donations of leave (for example, to compensate for a previous period of leave without pay or to liquidate an indebtedness for advanced leave).

Restoration of Unused Donated Annual Leave

Any unused annual leave remaining to a leave recipient's credit on termination of the medical emergency must be restored to the annual leave accounts of the donors. Once transferred leave is restored to a leave donor's account, the leave is treated the same as other annual leave in the account and becomes subject to the annual leave "use or lose" carryover limitation

A leave donor can opt to have this leave restored during the current leave year or the next leave year, or can donate all or part of the leave to another leave recipient.

Forms

The [following forms](#) are related to the Voluntary Leave Transfer Program:

OPM	Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program (Within
630A	Agency)
OPM	Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program (Outside
630B	Agency)
OPM	Transfer of Leave Records for Leave Recipient Covered by the Voluntary Leave Transfer Other Available Leave
630C	Options

Other Available Leave Options and Work Schedule Flexibilities

The Federal Government offers a wide range of leave options and workplace flexibilities to assist an employee who needs to be away from the workplace. These flexibilities include [annual leave](#), [sick leave](#), advanced annual or sick leave, [leave under the Family and Medical Leave Act \(FMLA\)](#), [leave without pay](#), [alternative work schedules](#), [credit hours under flexible work schedules](#), [compensatory time off](#) and [telework](#). Agencies may also have a [voluntary leave bank program](#).

References:

- 5 U.S.C. 6331-6340
- 5 CFR part 630, subpart I

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