

VOLUNTARY LEAVE TRANSFER PROGRAM (VLTP)

(Reference 5 CFR 630.901)

Website: <https://www.opm.gov/oca/leave/HTML/vltpregs.htm>

The Voluntary Leave Transfer Program provides for transfer of annual leave to employees with medical emergencies or employees with family member with medical emergencies. Congress created the program in 1988 because they recognized that federal employees had no short-term disability coverage. **The program was created to fill a gap between an employee's use of his/her own sick leave, such as a short-term illness/injury, or for the interim time pending approval for disability retirement.**

Therefore, for long term and chronic illnesses, the Voluntary Leave Transfer Program may be used in the interim period between an employee exhausting his/her accumulated leave and being approved for disability retirement.

The legislative history of Public Law 100-566 (5 U.S. Sec. 6331-6340, Voluntary Leave Transfer Program), states that the program **"was not meant to be a substitute for disability retirement, and agencies should encourage employees to apply for disability retirement if circumstances warrant it."**

According to law and regulations, a medical emergency is defined as a medical condition of an employee or a family member of the employee that is likely to require an employee's prolonged absence from work and would result in a substantial loss of income because of the unavailability of paid leave. **Family member means the following relatives of the employee:**

- a. Spouse, and parents thereof;
- b. Children, including adopted children, and spouses thereof;
- c. Parents;
- d. Brothers and sisters, and spouses thereof; and
- e. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Donated leave may be used only for the purpose of the medical emergency for which the leave recipient was approved. The donated annual leave may be substituted retroactively for periods of leave without pay (LWOP). It can also be used to liquidate indebtedness for advance annual or sick leave granted on or after the date the medical emergency began. There is not maximum accumulation of donated leave and no restrictions on the amount that can be carried forward from one leave year to the next.

An employee may donate his or her annual leave to an employee who has been approved to participate in the voluntary leave transfer program. Leave cannot be donated to an individual's supervisor.

An employee who has been affected by a medical emergency which will result in at least 24 hours without paid leave may apply to become a leave recipient. Medical emergency means a medical condition of an employee or family member that is likely to be required an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income (**at least 24 hour LWOP**) to the employee because of the unavailability of paid leave.

If a request is submitted on the employee's behalf by a third party, it must contain a statement of the reasons why the employee is not capable of making the request on his/her own behalf.

Two Ways to Apply:

- All forms used in applying for the VLTP program can be obtained from the Human Resources Division (MP-500) or by accessing HR's website: http://intra.mp.usbr.gov/Mp500/leave_share/index.html
- Complete an **OPM 630**, Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program, with attachments.
 - 1. **Certification from one or more physicians documenting the employee's medical emergency using WH-380-E (employee) or WH-380-F (family), Certification of Health Care Provider** and
 - 2. Authorization to release information, as required.

or

- Submit a written request which must include the following information:
 - 1. Name, position title, and grade of the leave recipient;
 - 2. Reason donated leave is needed (i.e., describe the nature, severity, and anticipated duration of the medical emergency);
 - 3. **Certification from one or more physicians documenting the employee's medical emergency using WH-380-E (employee) or WH-380-F (family), Certification of Health Care Provider;**
 - 4. Authorization to release information, as required; and
 - 5. Employee leave status.
- Completed applications should be returned to Human Resources Division through supervisory channels. Notification to the employee of approval/disapproval will be done within 10 work days from the date of receipt by the Human Resources Division.
- If approved, the Human Resources Division will make a generic solicitation for leave donations. If the employee wants to have the specifics of their medical condition used in the solicitation of donations, they must specifically indicate that in their application package.

Miscellaneous Facts about Leave Share Program.

- **Donated annual leave may be used only for the purpose of the medical or family emergency for which the leave recipient was approved.**
- The Federal Personnel and Payroll System (FPPS) will deplete all available sick and annual leave balances before allowing use of donated leave. In the case of a family medical emergency, FPPS will deplete all available annual leave as well as any sick leave that may be available under the Family Friendly Leave laws (5 CFR 630.405) before allowing use of donated leave.
- While in the leave share program, annual and sick leave may be accrued to a maximum of 40 hours each.
- Any advanced leave or leave without pay indebtedness may be paid back through donations from the leave share program.
- Recipients are responsible for notifying their supervisors and their Human Resources Division in writing as soon as their medical/emergency has ended.
- When the personal emergency terminates, no further requests for transfer of annual leave to the recipient may be granted.

How to make donations.

- Donations are made by submitting a completed OPM 630A (Within Agency) and OPM 630B (Outside Agency) to the Human Resources Division. Forms can be obtained from the Human Resources Division or by accessing HR's web site:
http://intra.mp.usbr.gov/Mp500/leave_share/index.html
- Donations may be made from employees in most Federal agencies outside of Interior. OPM 630B (Outside Agency) must be used when donating leave.

Miscellaneous Facts about Leave Donation.

- **In any leave year, donors may not donate more than one-half their total annual leave accrued.**

Examples of Annual Leave Accrued Each Leave Year:

8 hours X 26 pay periods = 208 hours ÷ 2 = 104 hours (max)

6 hours X 26 pay periods = 156 hours ÷ 2 = 78 hours (max)

We have had instances where annual leave was lost because an employee donated their annual leave in the last pay period of the leave year and the employee was not in a work status, but on leave during that last pay period.

In order to avoid forfeiture, we recommend that leave donations of use or lose leave be made prior to the last pay period of the leave year.

In the case of a leave donor who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year under 5 U.S.C. 6304(a), the maximum amount of annual leave that may be donated during the leave year will be the lesser of (1) one-half of the amount of annual leave they would be entitled to accrue during the leave year in which the donation is made or, (2) the number of hours remaining in the leave year (as of the date of transfer) for which the leave donor is scheduled to “work” and receive pay. Holidays and annual leave used cannot be counted as “hours remaining” in the leave year, i.e., an employee has use or lose annual leave and wants to donate leave in pay period 200_02. Pay period 200_02 has one holiday (8 hours), which leaves 72 hours available to work which may be donated. If annual leave is scheduled for 24 hours in that pay period, the employee can donate only 48 hours of leave.

- Donations may not be made to your immediate supervisor.
- Any unused donations will be divided equally among donors.

The medical emergency is terminated when:

- a. The employee notifies the Human Resources Division that the emergency is over;
- b. The agency determines that the employee is no longer affected by a medical emergency and notifies the employee of that determination;
- c. OPM approves the employee’s disability retirement; or
- d. The recipient’s employment is terminated or death occurs.

When your participation in the Leave Share Program has been terminated, the Federal Personnel and Payroll System (FPPS) will automatically calculate and equally divide unused donated leave back to leave donors.

Pay Codes LS1 and LS3.

The following pay codes will be used when **approved** under the Voluntary Leave Transfer Program (VLTP).

Pay Code LS1 – Leave Share - Medical Self – Used.

Employees approved for the Leave Share Program, for a condition or occurrence affecting the employee must use accrued leave (if any) prior to using transferred leave.

Pay Code LS3 – Leave Share – Family – Used.

Employees approved for the Leave Share Program, for a condition or occurrence affecting the spouse, children, parents, brothers/sisters (and their spouses), or any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, must use accrued leave (if any) prior to using transferred leave. The employee is required to use the maximum amount of Family Friendly Sick Leave available.

There is no need for the employee to code the Time and Attendance (TA) Report to use available Sick Leave, Annual Leave, or accruals (unless unrelated to the emergency) because the FPPS system will use and exhaust all leave as appropriate. **Code all related time to the appropriate Leave Share pay code either LS1 or LS3.** Contact the Human Resources Division regarding questions related to the Family Medical Leave Act used in conjunction with LS1 and LS3.

Prohibition of Coercion.

Any individual may not directly or indirectly intimidate, threaten, or coerce, any other individual for the purpose of interfering with any right an employee may have to donate, not to donate, receive, or use annual leave under the voluntary leave transfer program. Advertisement for donations will be made via email from the Human Resources Division once at the beginning of the medical emergency. The Bureau of Reclamation will then advertise the need for donations quarterly. Therefore, the leave recipient and his/her office are discouraged from expressing any personal solicitations to procure transferred annual leave from other employees as this violates the Ethics Code. For the purpose of VLTP, 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).