

U.S. OFFICE OF PERSONNEL MANAGEMENT

PAY & LEAVE LEAVE ADMINISTRATION

Fact Sheet: Sick Leave (General Information)

Sick Leave Entitlement

Sick leave is a paid absence from duty. An employee is entitled to use sick leave for-

- [personal medical needs](#)
- [family care or bereavement](#)
- [care of a family member with a serious health condition](#)
- [adoption-related purposes](#)

Sick Leave Accrual

Description	Time
Full-time employees	1/2 day (4 hours) for each biweekly pay period
Part-time employees	1 hour for each 20 hours in a pay status
Uncommon tours of duty	(4 hours) times (average # of hours per biweekly pay period) divided by 80 = biweekly accrual rate

Sick Leave Accumulation

There is no limitation on the amount of sick leave that can be accumulated.

Advanced Sick Leave

At the discretion of the agency, up to a maximum of 240 hours (30 days) of sick leave may be advanced to an employee when required by the exigencies of the situation. For further details and limitations, please see our fact sheet entitled [Advanced Sick Leave](#).

Sick Leave Usage Limits per Leave Year

- No limitation for an employee's own personal medical needs
- Up to 13 days (104 hours) of sick leave for general family care and bereavement each leave year
- Up to 12 weeks (480 hours) of sick leave to care for a family member with a serious health condition each leave year

If an employee previously has used any portion of the 13 days of sick leave for general family care or bereavement purposes in a leave year, that amount must be subtracted from the 12-week entitlement. If an employee has already used 12 weeks of sick leave to care for a family member with a serious health condition, he or she cannot use an additional 13 days in the same leave year for general family care purposes. An employee is entitled to no more than a combined total of 12 weeks of sick leave each leave year for all family care purposes.

Part-time employees and employees with uncommon tours of duty are also entitled to use sick leave, and the amount of sick leave which may be granted is pro-rated in proportion to the average number of hours of work in the employee's scheduled tour of duty each week.

Definition of 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 sick leave for family care or bereavement purposes (as well as important associated definitions for the terms *son or daughter*, *parent*, *domestic partner*, and *committed relationship*) may be found on our fact sheet [Definitions Related to Family Member and Immediate Relative](#).

When an employee requests sick leave to care for a family member (for family care or for bereavement purposes related to the death of 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.

Requesting Sick Leave

An employee must request sick leave within such time limits as the agency may require. An agency may require employees to request advanced approval for sick leave for their own medical, dental, or optical examination or treatment. To the extent possible, an employee may be required to request advanced approval for sick leave to attend to a family member receiving medical, dental, or optical examination or treatment, to care for a sick family member or one with a serious health condition, for bereavement purposes, and for adoption-related proceedings. If the employee complies with the agency's notification and medical evidence/certification requirements, the agency must grant sick leave.

Supporting Evidence for the Use of Sick Leave

An agency may grant sick leave only when supported by administratively acceptable evidence. For absences in excess of 3 days, or for a lesser period when determined necessary by the agency, an agency may require a medical certificate or other administratively acceptable evidence. An agency may consider an employee's self-certification as to the reason for his or her absence as administratively acceptable evidence, regardless of the duration of the absence. Employees should consult their agency-specific human resources guidance and review applicable policies set forth in collective bargaining agreements for information specific to their agency.

An employee must provide administratively acceptable evidence or medical certification within 15 days of the agency's request. If the employee is unable to provide evidence, despite the employee's diligent, good faith efforts, he or she must provide it within a reasonable period of time, but no later than 30 calendar days after the agency makes the request. If the employee fails to provide the required evidence within the specified time period, he or she is not entitled to sick leave.

Sick Leave When Using Annual Leave

An agency may grant sick leave to an employee on annual leave for any of the purposes for which sick leave may be granted, but is not required to do so. For example, if an employee becomes sick while on annual leave, the agency may grant sick leave to him or her in the place of annual leave. Likewise, if an employee on annual leave must care for a family member who becomes sick, the agency may also grant sick leave.

Sick Leave for Exposure to Communicable Disease

An employee is entitled to use sick leave if health authorities or a health care provider determine that the employee's presence on the job would jeopardize the health of others because of exposure to a communicable disease. An employee is also entitled to use sick leave to care for a family member who has been similarly exposed. The use of sick leave would be appropriate in these circumstances even if the employee or family member is not sick but would be limited to circumstances where exposure alone would jeopardize the health of others and would only arise in cases of serious communicable diseases, such as communicable diseases where Federal isolation and quarantine are authorized, which currently includes: cholera, diphtheria, infectious tuberculosis, plague, smallpox, yellow fever, viral hemorrhagic fevers, Severe Acute Respiratory Syndrome (SARS), and influenza that causes or has the potential to cause a pandemic. See [CDC's Legal Authorities for Isolation and Quarantine](#). This provides an illustrative, but not exhaustive, list of the types of serious communicable diseases where exposure alone would jeopardize the health of others.

Although the employee does not need to be the sole provider of care, the employee must be providing care actively to the family member in order to use sick leave to care for a family member exposed to a communicable disease. Since the employee would not be providing care for a sick family member, but one who is asymptomatic, the employee may request sick leave only if the exposed family member could not otherwise care for himself or herself (e.g., a minor child or elderly relative). In contrast, it would not be appropriate for the employee to use sick leave to care for an able-bodied spouse who has been exposed to a communicable disease, but is not exhibiting any symptoms, since the employee would not need to provide care actively to the spouse. If the employee's family member actually contracts the communicable disease and becomes ill, sick leave for general family care or sick leave to care for a family member with a serious health condition, depending on the severity of the illness, would be appropriate.

Pregnancy/Childbirth

A pregnant employee who must be absent from work at some point before giving birth for her own health or that of her unborn child is entitled to use sick leave. An employee is also entitled to use sick leave to care for a family member who is incapacitated because of pregnancy or childbirth, or to accompany her to prenatal care appointments. According to the definition of *serious health condition*, any period of incapacity due to pregnancy or childbirth, or for prenatal care, is considered a serious health condition, even if the employee or family member does not receive active treatment from a health care provider during the period of incapacity or the period of incapacity does not last more than 3 consecutive calendar days. Sick leave may be used for medical examinations and during the period of incapacitation for delivery and recuperation. Once the period of incapacitation is over, there is no entitlement to use sick leave. There is no provision in law or regulation that permits the

use of sick leave to be absent from work to care for a healthy newborn, bond with a healthy child, or for other child care responsibilities. Please see OPM's [Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption, and Foster Care \(PDF file\)](#) for more information.

Disabled Veterans

Under Executive Order 5396, July 17, 1930, a disabled veteran is entitled to use sick leave (or annual leave or leave without pay) for necessary medical treatment associated with the service-connected disability. The veteran must give prior notice of the date(s) he or she is requesting leave for medical treatment.

Agency Recordkeeping Requirements

An agency must maintain records of the amount of sick leave used by an employee for general family care, bereavement, and for care of a family member with a serious health condition. The records must be sufficient to ensure that an employee does not exceed the limits placed on sick leave usage per leave year outlined above.

Sick Leave Used in the Computation of an Annuity

Unused sick leave will be used in the calculation of an employee's or survivor's annuity based on retirement with an immediate annuity or on a death in service. For employees covered by the Civil Service Retirement System (CSRS), credit toward the annuity computation will be based on the full sick leave balance at retirement or death. For employees covered by the Federal Employees Retirement System (FERS), credit toward the annuity computation will be based upon a percentage of the sick leave balance at retirement or death, depending on the date the entitlement to the annuity began-

- 50 percent in the case of an annuity entitlement based on a separation from service from October 28, 2009, through December 31, 2013; and
- 100 percent in the case of an annuity entitlement based on a separation from service occurring on or after January 1, 2014.

Recredit of Sick Leave

An employee who has a break in service and returns to work for the Federal Government is entitled to the recredit of his or her sick leave, regardless of the length of the break in service.

For a reemployed annuitant, any sick leave that is used in the computation of the employee's annuity is charged against the employee's sick leave account and cannot be used, transferred, or recredited in the future. For a FERS employee who retired between October 28, 2009, and December 31, 2013, 50 percent of his or her sick leave was credited toward the employee's FERS annuity computation. If the employee returns to Federal service as a reemployed annuitant, he or she is entitled to the recredit of the remaining 50 percent of his or her sick leave. For a CSRS employee, or a FERS employee who retires on or after January 1, 2014, 100 percent of the employee's sick leave will be used in the annuity computation, consequently, no sick leave will remain for recredit should the retiree later return to Federal service.

Other Available Leave Options and Work Schedule Flexibilities

Sick leave may be used only for those circumstances specified in law and regulation. 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 leave](#) or [advanced sick leave](#), leave under the [Family and Medical Leave Act \(FMLA\)](#), donated leave under the [voluntary leave transfer program](#), [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. chapter 63, subchapter I
- 5 U.S.C. 8415(l)(2)
- 5 U.S.C. 8339(m)
- 5 CFR, part 630, subparts B and D

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