

**NONAPPROPRIATED FUND LEAVE PROGRAMS**

	<b>A. Voluntary Leave Transfer Program (VLTP)</b>	<b>B. Family and Medical Leave Act (FMLA)</b>	<b>C. Expanded Sick Leave to Care for a Family Member with a Serious Health Condition</b>	<b>D. Sick Leave for General Care of a Family Member and Bereavement</b>
<b>Brief Description of Program</b>	<p>Allows eligible employees who have a personal or family medical emergency and who have exhausted their own available paid leave to receive donations of annual leave from other Army NAF employees.</p>	<p>Entitles eligible employees to use a total of 12 administrative workweeks of unpaid leave during any 12-month period for specified family and medical needs or any qualifying exigency with guaranteed return to same or equivalent position. Employees may substitute accrued or accumulated annual or sick leave, advanced annual or sick leave, or donated leave for unpaid leave for any part of the 12 weeks and/or 26 weeks FMLA period. For <b>family medical emergencies</b> employees may substitute only the amount of sick leave as described in Columns C and D.</p> <p>Eligible employees may also take up to 26 administrative workweeks of FMLA leave in a single 12-month period to care for a covered Servicemember undergoing medical treatment, recuperation and/or therapy for serious injury or illness.</p>	<p>Entitles full-time employees to use up to a maximum of 12 administrative work weeks (480 hours) of sick leave per year to care for a family member with a <b>serious health condition</b>. The amount of leave for part-time employees and those with uncommon tours of duty is prorated.</p>	<p>Entitles full-time employees to use up to 13 days (104 hours) of sick leave per leave year for general family care or bereavement, including taking care of an elderly family member. The amount of leave for part-time employees and those with uncommon tours of duty is prorated.</p> <p>Entitles employees (including those with opposite-sex or same sex domestic partners) to use 24 hours of leave without pay (LWOP) in a leave year for participation in school and early childhood educational activities, routine family medical purposes, and elderly relatives' health or care needs.</p>

<b>Coverage</b>	Regular full-and part-time Army NAF employees.	Employees in both regular and flexible continuing positions who have completed at least 12-months of service. Employees serving under a flexible appointment with a stated time limitation or "not to exceed" date of one year or less are covered under DOL FMLA regulations.	Regular full and part-time Army NAF employees	Regular full and part-time Army NAF employees.
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<b>Family Member Definition</b>	(1) Employee's spouse and spouse's parents; (2) children, including adopted children, and children's' spouses; (3) parents; (4) brothers and sisters, and their spouses; (5) same-sex domestic partners and parents, including domestic partners of any individuals in (2) through (4) above; and (6) any individuals related by blood or affinity whose close association with the employee is the equivalent of a family relationship.	(1) Spouse; (2) sons or daughters (includes adopted and foster children); and (3) parents of employee.	(1) Employee's spouse and spouse's parents; (2) children, including adopted children, and children's' spouses; (3) parents; (4) brothers and sisters, and their spouses; and (5) any individuals related by blood or affinity whose close association with the employee is the equivalent of a family relationship.	(1) Employee's spouse and spouse's parents; (2) children, including adopted children, and children's' spouses; (3) parents; (4) brothers and sisters, and their spouses; and (5) grandparents and grandchildren, and spouses; (6) same- sex domestic partners and parents, including domestic partners of any individual in (2) through (5) above; (7) step parents and step children; (8) foster children; (9) guardianship; and (9) any individuals related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

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<p><b>Circumstances Covered</b></p>	<p>Medical emergency means 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 (at least two work weeks) and will result in a substantial loss of income to the employee because of the unavailability of paid leave.</p> <p>For <b>family</b> medical emergencies, employees must use all annual leave, and all sick leave up to the maximum amount as described in columns C and D before using any donated leave.</p>	<p>Birth of a child and care of a newborn, placement of a child with the employee for adoption or foster care; care of a family member or elderly spouse or parent with a <b>serious health condition</b>; the <b>serious health condition</b> of the employee that makes the employee unable to perform the essential function of his or her position, or for any qualifying exigency, when the employee is the spouse, son, daughter, parent, or next of kin of the Servicemember.</p> <p><b>Serious health condition</b> includes for example: in-patient hospital care, stroke, cancer, surgery, heart attack, terminal illness, etc. Does not include routine medical examinations, bed rest regimens that do not require a health care provider, exercise, etc.</p> <p>Also does not include, unless complications arise: colds, flu, headaches (other than migraines), upset stomachs. For detailed definition, see the "Guide for Serious Health Condition Determination," <b>Appendix A.</b></p> <p><b>Qualified Exigency</b> includes short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities.</p>	<p>Provide care for a family member with a <b>serious health condition</b>.</p> <p><b>Serious health condition</b> includes for example: in-patient hospital care, stroke, cancer, surgery, heart attack, terminal illness, etc. Does not include routine medical examinations, bed rest regimens that do not require a health care provider, exercise, etc. Also does not include, unless complications arise: colds, flu, headaches (other than migraines), upset stomachs. For detailed definition, see the "Guide for Serious Health Condition Determination," <b>Appendix A.</b></p>	<p>Provide care for a family member who is incapacitated by a medical or mental condition or attends to a family member receiving medical, dental, or optical examination or treatment. To make arrangements necessitated by the death of a family member or attend the funeral of a family member.</p>
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<b>Application and Approval Process</b>	<p>Employee or representative must apply in writing. Appropriate medical documentation must include the nature, severity and anticipated duration of the medical emergency. Requests are processed IAW the installation VLTP. Upon termination of the medical emergency, employees are responsible for notifying their leave-approving official, as not doing so may result in not earning leave.</p>	<p>Employees must invoke their entitlement to FMLA at least 30 days prior to taking leave. When unforeseeable, he/she must give as much notice as practicable. FMLA leave cannot be retroactively invoked. Exception: If the employee or representative can prove that the employee was physically or mentally incapable of invoking entitlement during the entire period the employee was absent from work for a FMLA qualifying purpose. Leave approving officials may require medical certifications for serious health conditions. Requested medical documentation for a serious health condition must be submitted no later than 15 calendar days after the date requested by the leave approving official. One 15-day extension may be granted for circumstances beyond the employee's control. Employees must submit FMLA leave requests to their leave approving officials. Leave approving officials may not place an employee on FMLA status unless the employee invokes FMLA.</p>	<p>Employees may request sick leave under the circumstances described above. The leave-approving official must grant sick leave up to the limits in the Entitlements section of this column. The leave-approving official may require a medical certificate or other administratively acceptable evidence following 5 CFR 630.403, Subpart L as a guide.</p>	<p>Employees may request sick leave under the circumstances described above. The leave-approving official must grant sick leave up to the limits in the Entitlements section of this column. Leave approving officials may require medical certificate or other administratively acceptable evidence following 5 CFR 630.403, Subpart D and H as a guide.</p>

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<b>Leave-Approving Official and Timekeeper Responsibilities</b>	<p>Once an employee has been granted approval to become a leave recipient, their timekeeper is responsible for charging the recipient's appropriate leave account for any absences caused by the situation that qualified the employee for the VLTP. If the qualifying situation involves the care of a family member under C or D, the timekeeper and Leave Approving Official are responsible to ensure that the limitations for sick leave use under C or D are not exceeded.</p>	<p>Employee: After invoking FMLA employee selects annual leave or sick leave as appropriate or may elect LWOP. Timekeeper is responsible for charging the appropriate account. The timekeeper and Leave Approving Official are responsible for maintaining balance.</p> <p>For qualified exigency, managers/supervisors are responsible for requesting certification on <a href="#">DOL Form WH-384</a>. Certification of Qualifying Exigency For FMLA</p>	<p>Timekeeper is responsible for charging the appropriate account. Timekeepers and Leave approving officials are responsible for ensuring that employees do not exceed the 12-administrative work week limitation per leave year.</p>	<p>Timekeeper is responsible for charging the appropriate account. Timekeepers and Leave approving officials are responsible for ensuring that employees do not exceed the limitation required for use per leave year.</p>