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NASA Procedural Requirements

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COMPLIANCE IS MANDATORY FOR NASA EMPLOYEES

NASA Voluntary Leave Bank Program

Responsible Office: Office of the Chief Human Capital Officer

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Preface

P.1 Purpose

- a. This NPR establishes the procedures and responsibilities for conducting the Voluntary Leave Bank Program (VLBP) in accordance with applicable law and regulations. It provides Agency direction which should be used in conjunction with the referenced statutory and regulatory requirements. Consult Center Human Resources Offices for further information and guidance.
- b. NASA's VLBP provides eligible employees the opportunity to contribute unused accrued annual leave to a Leave Bank. The VLBP can help ease the emotional and financial burdens experienced by an employee who has exhausted available paid leave as a result of a personal or family medical emergency.
- c. The VLBP is separate and apart from the Voluntary Leave Transfer Program (VLTP). The VLBP does not cancel or change the VLTP in any way.

P.2 Applicability

- a. This NPR is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers and the Office of the Inspector General.
- b. Any reference to Center Director(s) includes the Executive Director for Headquarters Operations and the Executive Director of the NASA Shared Services Center (NSSC).
- c. In this directive, all document citations are assumed to be the latest version, unless otherwise noted.
- d. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended, but not required, "will" denotes expected outcomes, and "are/is" denotes descriptive material.

P.3 Authority

- a. Voluntary Leave Bank Program, 5 U.S.C. §§ 6361-6373.
- b. Voluntary Leave Bank Program, 5 CFR Part 630, Subpart J.
- c. NPD 3000.1, Human Capital Management.

P.4 Applicable Documents and Forms

- a. Termination of a Voluntary Leave Bank Program, 5 CFR Part 630.1016.
- b. Termination of Medical Emergency, 5 CFR Part 630.1010.
- c. Use of Annual Leave Withdrawn from a Leave Bank, 5 CFR Part 630.1009.

- d. Accrual of Annual and Sick Leave, 5 CFR Part 630.1008.
- e. Limitations on Contribution of Annual Leave, 5 CFR Part 630.1005.
- f. Definitions, 5 CFR Part 630.902.
- g. NPD 1382.17, NASA Privacy Policy.

P.5 Measurement/Verification

- a. Compliance with this policy will be verified by records and reports maintained regarding the administration and evaluation of the VLBP. Note: The reports are provided to the Office of Personnel Management (OPM) upon its request.
- b. The following information shall be maintained:
 - (1) The number of Leave Bank members for each leave year;
 - (2) The number of Leave Bank requests approved for medical emergencies affecting an employee;
 - (3) The number of Leave Bank requests approved for medical emergencies affecting an employee's family member;
 - (4) The grade or pay level of each member and the total amount of annual leave contributed; and
 - (5) The grade or pay level and gender of each leave recipient and the total amount of leave actually used.
- c. The Leave Bank Board conducts an annual assessment of the program to ensure the needs of the membership are being met.

P.6 Cancellation

None.

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Associate Administrator
Mission Support Directorate

Chapter 1. General

1.1 The Leave Bank is a pooled fund of annual leave established in accordance with 5 CFR Part 630, Subpart J, which allows employees to donate unused accrued annual leave to be used by any member of the Leave Bank for personal and family medical emergencies, provided certain other criteria are also met.

1.2 Any current full or part-time NASA civil service employee who earns annual leave and contributes at least the minimum amount of annual leave as established by the Leave Bank Board (the Board) may participate in the VLBP.

1.3 Leave in the Leave Bank will only be available to members of the Bank. To become a Leave Bank Member, employees must enroll during an open or individual enrollment period and donate the requisite amount of hours of annual leave as described in Chapter 4 of this NPR.

1.4 A leave recipient may use annual leave granted by the Board only for the purpose of the medical emergency for which the leave recipient was approved and in accordance with the provisions of this NPR and 5 CFR Part 630.1009.

1.5 Leave recipients shall accrue and use annual and sick leave in accordance with the provisions of 5 CFR Part 630.1008.

1.6 The Leave Bank Board shall consist of three members:

- a. A senior management official for the Office of the Chief Human Capital Officer (OCHCO);
- b. One Center Human Resources (HR) Director or alternate; and

Note: This responsibility may only be delegated to the Deputy HR Director, the Employee Relations Officer, or other HR supervisory/management official.

- c. One member of the Labor Caucus of the Agency Labor-Management Forum (ALMF).

Note: Should the ALMF be disbanded, a representative from The American Federation of Government Employees (AFGE) and the International Federation of Professional and Technical Engineers (IFPTE) shall meet to discuss and determine how the Labor seat will be filled.

1.7 The Board shall determine the amount of leave granted from the Leave Bank to a leave recipient.

1.8 The Board shall document decisions related to the granting or denial of leave.

1.9 For VLBP purposes, a "Medical Emergency" is an illness, injury, impairment, or physical or mental condition of an employee or an employee's family member that will result in an employee's absence from duty without available paid leave for at least 24 work hours (or for part-time or uncommon tour employees, at least 30 percent of the average hours of the employee's scheduled bi-weekly tour of duty, (i.e., 12 hours based on a 40-hour pay period).

Note: The definition of family member is specified in 5 CFR Part 630.902.

1.10 Membership in the Leave Bank by an individual or status as a leave recipient may be terminated, and the individual will not be returned any leave donated to date and/or may be required to repay leave granted for the following reasons:

- a. For providing fraudulent medical documentation;
- b. For falsifying time and attendance information; or
- c. For using donated leave for purposes other than the approved medical emergency.

Note: Disciplinary action may be taken as well, including suspension from work or termination of employment. Disciplinary actions are governed by 5 CFR 752.

1.11 An employee may donate annual leave to the Leave Bank without being a member of the Leave Bank.

1.12 The VLBP may be cancelled by giving at least 30 days written advance notice to existing Bank members, with any remaining leave credited in timely and equitable fashion to either current leave recipients, re-credited to donating employees, or a combination of both in accordance with 5 CFR Part 630.1016.

Chapter 2. Responsibility

2.1 The Chief Human Capital Officer shall:

- a. Ensure that the VLBP and these procedural requirements comply with applicable law and regulations.
- b. Appoint a senior management official from the Office of the Chief Human Capital Officer (OCHCO) to serve as the Board Chairperson.
- c. Appoint a Center Human Resources Director to serve on the Board on a rotating basis.

2.2 A senior management official of the OCHCO shall:

- a. Provide oversight of and assign an employee of OCHCO to provide administrative support for the Board; and
- b. Serve as Chairperson of the Board.

2.3 NASA Headquarters and Center Human Resources Directors shall:

- a. Serve as members of the Board on an annual rotating basis; and
- b. Only delegate this responsibility to their Deputy, the Employee Relations Officer, or other HR supervisory/management official.

2.4 Supervisors shall approve or deny the use of leave granted by the Board in accordance with applicable law, regulation, and NASA policy.

2.5 The NSSC shall:

- a. Validate upon receiving a request to become a Leave Bank recipient that the absence from duty without paid leave is, or is expected to be, at least 24 hours due to the medical emergency (or, in the case of a part-time employee or employee with uncommon tour, 30 percent of the average hours in the employee's biweekly scheduled tour of duty);
- b. Consult, as necessary and appropriate, with the Office of the Chief Health and Medical Officer on medical determinations in reviewing a member's request for leave from the Leave Bank;
- c. Within 10 business days of receipt of a Leave Bank recipient request, provide to the Board a report which contains the:
 - (1) Name of the Leave Bank member requesting leave;
 - (2) Number of hours being requested; and
 - (3) Confirmation that medical documentation was received and supports the member's request for leave.
- d. Within 10 business days of the Board's decision, notify the Leave Bank member of the Board's decision;
- e. Process within the Federal Personnel and Payroll System (FPPS) the appropriate amount of

accrued annual leave, requested by the employee, to effect a new enrollment or maintain enrollment in the Leave Bank;

f. Upon notification of approval of a request for leave by the Board, enter the amount of approved leave from the Leave Bank to the member via the FPPS; and

g. Maintain the confidentiality of leave recipients' information in accordance with NPR 1382.17, NASA Privacy Procedural Requirements.

2.6 The Office of the Chief Health and Medical Officer shall consult with the NSSC as necessary on medical determinations.

2.7 Members of the VLBP shall:

a. Comply with applicable law, regulations, and this NPR relative to their participation in this Program;

b. Contribute at least the minimum amount of accrued annual leave to the Leave Bank; and

c. Follow established procedures to request leave from the Leave Bank, including providing the NSSC with appropriate medical documentation, to include:

(1) The Leave Bank member's name, position, title, and grade or pay level;

(2) The reason(s) leave is needed, including a description of the nature, severity, anticipated duration, and if the medical condition is recurring, the approximate frequency (such as acute phases or aspects) affecting the Leave Bank member or family member;

(3) Certification from treating physician(s) or other health care provider(s) with respect to the medical condition; and

(4) Any additional information that may be required by the Leave Bank Board to support the request.

2.8 Leave Bank Recipients shall provide prompt notification to the NSSC upon the termination of the medical emergency.

Chapter 3. Leave Bank Membership

3.1 Any current full or part-time NASA civil service employee who earns annual leave and contributes at least the minimum amount of annual leave as established by the Leave Bank Board (the Board) may participate in the VLBP.

3.2 It is not a conflict of interest for a Board member to be a member of the Leave Bank.

Chapter 4. Enrollment

4.1 Enrollment

4.1.1 To become a member of the Leave Bank employees shall enroll in the VLBP during an open enrollment or individual enrollment period.

4.1.2 If employees are unable to enroll using the electronic open enrollment process, they or their representative may submit a written request to enroll to the NSSC.

4.1.3 If employees elect to enroll during an open enrollment or individual enrollment period, they will continue to be a member of the Leave Bank until they withdraw during an open enrollment period or leave the Agency.

4.1.4 Enrollment Requirements

If employees elect to enroll, they shall be required to acknowledge the following:

- a. "By enrolling electronically or in writing, you are agreeing to 'deposit' the amount of annual leave you accrue during one pay period into the Leave Bank;
- b. Thereafter, your enrollment is automatic and annual leave will be deducted from the first pay period of each leave year unless you terminate your membership during an Open Enrollment Period or separate from NASA;
- c. Leave is deducted during the first pay period of the leave year if you enroll in the Leave Bank during the Open Enrollment Period, or at the beginning of the pay period after your enrollment has been processed if you enroll during an Individual Enrollment Period; and
- d. Once leave has been contributed to the Leave Bank, it cannot be returned to you."

4.2 Open Enrollment Period

4.2.1 The annual open enrollment period shall begin during the month of November and end December 31 of the current year.

4.2.2 During the open enrollment period, employees may:

- a. Elect to become Leave Bank members; or
- b. Terminate their existing membership.

4.2.3 Joining the Leave Bank during the open enrollment period shall convey membership for the following leave year and annually thereafter unless employees terminate their membership during an open enrollment period or separate from NASA.

4.3 Individual Enrollment Period

4.3.1 An individual enrollment period allows employees to elect to become Leave Bank members outside the open enrollment period.

4.3.2 Individual enrollment periods shall be for 60 days and begin on the date an employee:

- a. Enters on duty; or
- b. Returns from an extended absence which included 30 or more days of the open enrollment period.

4.3.3 If employees enroll during an individual enrollment period, membership shall:

- a. Be effective the beginning of the first pay period after their enrollment; and
- b. Continue for the remainder of the current leave year in which they enrolled and annually thereafter unless they terminate their membership during an open enrollment period or separate from NASA.

4.4 Annual Leave Donations for Leave Bank Membership

4.4.1 Annual leave donations for membership shall be based on an employee's annual leave accrual rate per pay period (i.e., the amount of annual leave an employee accrues during a single pay period).

4.4.2 The Board may raise or lower the minimum amount of leave required for Leave Bank membership.

4.4.3 If the employee enrolls in the Leave Bank during the open enrollment period, the requisite amount of annual leave shall be automatically deducted from the employee's annual leave balance during the first pay period of the new leave year.

4.4.4 If the employee enrolls in the Leave Bank during an individual enrollment period, the requisite amount of annual leave shall be deducted from the employee's annual leave balance at the beginning of the pay period following enrollment.

4.4.5 Annual leave deducted for continuing enrollment is made during the first pay period of the new leave year.

4.4.6 Once annual leave has been donated to the Leave Bank, it shall not be returned to an employee except if the VLBP is terminated per paragraph 1.12.

Chapter 5. Donations

5.1 Leave Bank members and non-members may donate annual leave to the Leave Bank.

5.2 Leave donations can be made at any time during the leave year subject to the limitations of 5 CFR Part 630.1005.

5.3 The Board may waive the limitations of 5 CFR Part 630.1005 and permit larger donations of leave when it determines that additional leave donations are necessary to meet requests and/or to maintain current or anticipated operations of the Leave Bank.

5.4 The Board may request additional leave from Leave Bank members if it determines that available leave is insufficient to meet the needs of its members; however, members are not required to provide additional leave.

5.5 Once annual leave has been donated to the Leave Bank, it shall not be returned to an employee except if the VLBP is terminated per paragraph 1.12.

Chapter 6. Leave Bank Recipient

6.1 Only Leave Bank members shall become recipients of the Leave Bank.

6.2 Requests for leave from the Leave Bank shall be made electronically or in writing using the process outlined in this chapter.

6.3 If an employee is unable to submit a request, his/her supervisor or personal representative may make a request on the employee's behalf.

6.4 If the request is made in writing, it shall be submitted to the NSSC.

6.5 Each request for leave shall contain the following:

- a. The name, position title, and grade or pay level of the potential leave recipient;
- b. The purpose for requesting leave, including a brief description of the nature and severity of the Medical emergency;
- c. The number of hours requested;
- d. The beginning and approximate end date of the medical emergency (i.e., the anticipated duration of the medical emergency);
- e. The type of medical emergency (i.e., self or family);
- f. If the medical emergency is a recurring one, the approximate frequency of the medical emergency; and
- g. Appropriate medical documentation to support the request.

6.6 Notification of an employee's request will be generated electronically and provided to the NSSC, the employee, the approver of the employee's time and attendance, and the Center's Employee Relations Officer or Human Resources Officer designee.

6.7 Within 10 business days of receipt of a Leave Bank recipient request, the NSSC will provide to the Board a report of requests to be processed.

6.8 If the Board requires certification from more than one source, OCHCO will coordinate direct payment or reimbursement for expenses associated with obtaining the additional certification. This does not pertain to reconsideration submissions.

6.9 The NSSC shall notify via e-mail the employee, the approver of the employee's time and attendance, and the Center's Employee Relations Officer or Human Resources Officer designee of the Board's decision (approval or denial) of the request for leave.

6.10 If the request is denied, the employee will be provided with:

- a. The reason for the denial of the request; and
- b. Information pertaining to the right to request reconsideration.

6.11 The amount of leave approved by the Board will be entered into the FPPS system and will be

available for use within WebTADS.

6.12 The medical emergency affecting a leave recipient shall be deemed to have been terminated if any of the conditions prescribed in 5 CFR Part 630.1010 have been met.

6.13 Annual leave withdrawn from the leave bank may be substituted retroactively for any period of leave without pay or used to liquidate indebtedness for any period of advanced leave that began on or after the date the Board has determined the medical emergency began.

6.14 An employee shall not submit a request for leave from the Leave Bank if more than 30 days have passed since the medical emergency terminated.

6.15 All leave, including accrued annual or sick leave, any advanced sick leave, or leave donated from the VLTP, must be exhausted prior to the use of annual leave granted by the Board.

6.16 Any leave not used upon termination of a medical emergency shall be returned to the Leave Bank.

Chapter 7. Reconsideration

7.1 If a request for leave is denied or if the Board does not approve the number of hours requested, the employee shall receive notification explaining the reason(s) for the denial or modification to the original request.

7.2 Within 15 days of notification, the employee may request reconsideration of the Board's determination.

7.3 Reconsideration requests shall be submitted to the Board via the NSSC.

7.4 An employee's reconsideration request should:

- a. Provide all relevant information and address why the request should be reconsidered; and
- b. Include any additional appropriate medical documentation to further support the request.

7.5 Upon forwarding from the NSSC, the employee's reconsideration request will be promptly reviewed by the Board without regard to the prior denial.

7.6 The Board shall review and render a decision within 10 business days of receiving the request for reconsideration.

7.7 The Board's reconsideration decision shall be final.

7.8 The employee will be notified via e-mail or in writing by the NSSC within five business days of the Board's decision regarding the request for reconsideration.

Appendix A. Definitions

Available paid leave - Accrued or accumulated annual or sick leave as defined in 5 CFR Part 630.902(c).

Family member - As defined at 5 CFR Part 630.902(c).

Leave Bank - A pooled fund of annual leave established by NASA in accordance with 5 CFR 630.1003.

Leave Bank Board - The governing body of the Leave Bank responsible for performing the duties authorized under 5 CFR Part 630.1003(d), this policy, and the Leave Bank Board Charter.

Leave Bank Member - An employee who has enrolled during an open or individual enrollment period, as applicable, and contributed at least the minimum amount of annual leave as established by the Leave Bank Board.

Leave Recipient - A Leave Bank member who requests to receive contributions of annual leave from the Leave Bank and has been approved by the Board.

Medical Emergency (for VLBP purposes) - An illness, injury, impairment, or physical or mental condition of an employee or an employee's family member that will result in an employee's absence from duty without available paid leave for at least 24 work hours or 30 percent of a part-time employee's bi-weekly tour of duty, (e.g., 12 hours based on a 40-hour pay period).

Voluntary Leave Bank Program - A program established in accordance with 5 CFR Part 630, Subpart J, to create a leave sharing bank. This allows employees to donate unused accrued annual leave to be used by members of the Leave Bank during medical emergencies.

Appendix B. Acronyms

AFGE	American Federal of Government Employees
ALMF	Agency Labor-Management Forum
CFR	Code of Federal Regulations
FPPS	Federal Personnel and Payroll System
HR	Human Resource
IFPTE	International Federation of Professional and Technical Engineers
NPD	NASA Policy Directive
NPR	NASA Procedural Requirements
NSSC	NASA Shared Services Center
OCHCO	Office of the Chief Human Capital Officer
OPM	Office of Personnel Management
U.S.C.	United States Code
VLBP	Voluntary Leave Bank Program
VLTP	Voluntary Leave Transfer Program
WebTADS	Web-based Time and Attendance System