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IN REPLY REFER TO

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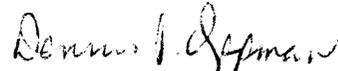
MEMORANDUM FOR DISTRIBUTION

Subj: CIVILIAN TIME AND ATTENDANCE (T&A) GUIDANCE

Ref: (a) DOD FMR 7000.14-R, Volume 8 of 12 Feb 02
(http://www.dtic.mil/comptroller/fmr/08/08_02.pdf)

Encl: (1) OJAG/NLSC T&A Guide
(2) Work Schedule Change Form

1. In support of reference (a), this memorandum and enclosures provide specific guidance and reference material to be used in the administration of civilian time and attendance within OJAG and NLSC.
2. This memorandum supersedes COMNAVLEGSVCCOM memo 12630 Ser 64.2/8U012 of 12 Aug 08.
3. Questions regarding this memorandum or enclosures should be directed to Ms. Amy Stevens at 202-685-5286 or DSN 325-5286.


DENNIS J. OPPMAN
By direction

Distribution:
Naval Legal Service Command (NLSC)

Enclosure 1: OJAG/NLSC T&A Guides

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Enclosure 2: Work Schedule Change Request

New Employees

When a new employee comes aboard, Code 64 must be notified as early as possible. Code 64 will need following information:

- Employee start date (if changes occur, provide Code 64 with the alternate start date or notice the employee will not start)
- Completed direct deposit form
- Completed W-4
- Completed state tax form (if applicable)
- Is the employee is new to the government or came from another agency?

When an employee transfers from another agency, the employee should carefully review his/her first Leave and Earning Statement (LES) to ensure all leave hours transferred properly. In case of error, the employee should contact Code 64 as soon as possible for resolution.

A new employee will not be able to access SLDCADA until after receiving a CAC, and his/her name will not populate in SLDCADA until a SF50 (Notice of Personnel Action) is issued by HRO.

A new employee may not change his/her work schedule to a compressed work schedule until after the first full pay period (see page 2 of this enclosure for more details).

Exiting Employees

When an employee separates from OJAG/NLSC, Code 64 must be notified as soon as possible. Code 64 will need following information:

- The resignation date (if changes occur, provide Code 64 with the alternate resignation date or notice the employee will not resign)
- The reason the employee is separating (e.g., going to another agency, leaving government employment, or retiring)

Code 64 will remove the employee from SLDCADA and stop payroll payments.

Tour of Duty and Work Schedules

Tour of Duty:

The hours of the day the employee is scheduled to work (i.e., 0730-1600). Employees and supervisors maintain autonomy to set tours of duties and change them as necessary to support mission requirements. Code 64 does not maintain tour of duty information for civilian employees. If an employee's tour of duty changes, Code 64 does not require notification.

Work Schedule:

The days of the pay period the employee is schedule to work (i.e., Weeks 1 and 2, Monday through Friday). Employees and supervisors have discretion to change work schedules as necessary to support mission requirements provided (1) the employee has worked one complete pay period with OJAG/NLSC and (2) the change takes place for future pay periods.

Code 64 changes employee work schedules in SLDCADA; command timekeepers cannot change employee work schedules in SLDCADA. The employee/supervisor must complete Enclosure 2 and submit it Code 64 to request a work schedule change.

First Pay Period of Employment

Newly reporting, full-time employees will be scheduled to work 8 hour days, Monday through Friday. This is a requirement for at least one pay period of employment within OJAG/NLSC, and is caused by the HR reporting database conflict that can negatively impact a new employee's pay if other than 8 hour days are reported.

Newly reporting, part-time employees will establish their work hours and days with their immediate supervisor and submit Enclosure 2 to Code 64 for recording in SLDCADA.

Work Schedule Options:

OJAG/NLSC authorizes the use Standard Work Schedule (SS) or a Compressed Work Schedule (CWS) for full-time employees. A supervisor's choice of an approved employee work schedule should be based upon support of mission requirements. Frequent absenteeism of an employee on a CWS schedule could result in a change to a standard work schedule. Part-time employees work less than a full-time schedule as determined by mission requirements.

Standard Work Schedule (SS):

Employee works 8-hours per day, 40-hours per week, and 80-hours in the pay period. An example is below:

SUN	MON	TUES	WED	THURS	FRI	SAT
	8	8	8	8	8	
	8	8	8	8	8	

Compressed Work Schedule (CWS)

Employee works one 8-hour day, eight 9-hour days, and has one scheduled day off in the pay period. Examples are below:

SUN	MON	TUES	WED	THURS	FRI	SAT
	8	9	9	9	9	
	Scheduled Day Off	9	9	9	9	

SUN	MON	TUES	WED	THURS	FRI	SAT
	Scheduled Day Off	9	9	9	9	
	8	9	9	9	9	

SUN	MON	TUES	WED	THURS	FRI	SAT
	9	9	9	9	8	
	9	9	9	9	Scheduled Day Off	

SUN	MON	TUES	WED	THURS	FRI	SAT
	9	9	9	9	Scheduled Day Off	
	9	9	9	9	8	

The employee and supervisor may schedule the 8-hour day and day off anywhere within the pay period, but it is most common (and encouraged) that the 8-hour day and day off occur on opposite Mondays or opposite Fridays.

Special Considerations

Holiday Leave

Please refer to page 6 of this enclosure for information regarding observing holiday leave in a compressed work schedule labeled "In Lieu of Holidays."

Training/Travel

If an employee works a CWS and will be attending training or traveling for work on his/her scheduled day off, the supervisor and employee may choose to temporarily change to a standard work schedule in the pay periods covering the duration of the travel or training. If the employee continues working a CWS and attends training or travels for work on the off day, the employee may earn compensatory time or compensatory time for travel for the hours worked that day.

Unexpected Base Closures

If an unexpected base closure (e.g., due to bad weather, public health concern, etc.) occurs on a CWS employee's scheduled day off, the employee is not entitled to observe his/her scheduled day off another day. Similarly, employees who have approved leave on the date of an unexpected base closure are still charged leave for that day.

Leave Accruals

Accrual Rates:

3 or less years of federal service: 4-hours LS, 4-hours LA per pay period

3-15 years of federal service: 4-hours LS; 6 hours LA per pay period

15+ years of federal service: 4-hours LS; 8 hours LA per pay period

Changes in employee accrual rates become effective the first full pay period after the annual anniversary. This is reflected on the employee's LES.

Part-time employees:

Part-time employees accrue leave at a reduced rate. The accrual is pro-rated in accordance with the hours worked per pay period.

New employees:

In the extremely rare case that a new employee were to report in the middle of a pay period, that employee will not earn any annual or sick leave for that pay period.

Donated leave recipients:

A small portion of a donated leave recipient's leave accrual is saved in a "set-aside" account during the duration of the medical emergency. This "set-aside" account exists to ensure when the medical emergency is finished, the employee can exit the donor program with some leave still available to him/her.

Leave Donors:

If the recipient does not exhaust all leave donations prior to the end of the medical emergency, leave donors will have leave restored to their leave balances. The balance of unused donated leave is divided proportionally based on amount contributed and returned to the leave donors.

Leave Without Pay:

For every 80-hours of leave without pay (KA) an employee takes during the course of a leave year, one pay period of leave accrual is forfeited. This also applies to employees using military leave without pay (KG).

Index of Leave

RG: Regular Hours

Employee work normally scheduled hour

LS: Sick Leave

Employee is absent from work due to (1) illness, (2) medical appointment, or (3) care of a family member. The supervisor may require documentation, especially in the case of an extended illness.

LA: Annual Leave

Employee has scheduled in advance to be absent from work

LC: Court Leave

Employee is absent from work and appears in court to (1) perform jury duty, or (2) serve as a witness in a case to which the government is a party. This is not to be used if the employee is appearing in court of his/her own volition or if the employee appears in court in his/her official government capacity. Official court documents substantiating the employee's attendance must be provided to Code 64 via the command's timekeeper within one week of court leave. If an employee is excused from his/her court duties with sufficient time remaining in the workday to return to work and conduct business, that employee must return to complete his/her workday. Any payments the employee receives during his/her court duty are to be refunded via personal check or money order as directed below:

Payable to: Disbursing Officer, DFAS-Cleveland

Memo line: Employee SSN
"Jury Duty"
Office's Line of Accounting

Mail to: DFAS-Cleveland
P.O. Box 998009
Cleveland, OH 44199

Please contact Code 64 for the appropriate line of accounting.

LM: Military Leave

Employee is absent from work due to a requirement to perform active or inactive duty in the National Guard or Armed Forces Reserves. Employees are entitled to 120 hours (15 days) of LM per fiscal year. Within two week of the employee using military leave, Code 64 must receive a copy of the employee's military orders (or equivalent documentation for inactive duty drills) via the division/command's timekeeper to substantiate the claim.

LY: Leave Award

Employee has scheduled in advance to be absent from work and uses a previously earned time-off award to account for those hours. Time-off award are granted by the employee's command as a reward for high-quality work from the employee. Employees are notified via a Personnel Action (SF50) of having received a time-off award. Time-off awards expire within one-year of issue.

LH: Holiday Leave

Employee is absent from work due to an observed federal holiday. An employee earns holiday hours equal to the employee's tour of duty on the observed holiday. For example, if Employee A is scheduled for 8 hours on 4 July and Employee B is scheduled for 9 hours of 4 July, Employee A will receive 8 hours of holiday leave and Employee B will receive 9 hours of holiday leave.

Federal Holidays & "In Lieu of Holiday" Leave

Federal employees receive time off to observe holidays throughout the leave year. Generally, the holiday hours fall on the holiday itself except in cases where the holiday is on a weekend. In that case, holiday hours fall on the day the holiday is observed. Holiday hours do not need to be entered in SLDCADA because they are self-populating in the SLDCADA employee record. If an employee is in a non-pay status immediately preceding and immediately following an observed holiday, the employee is not entitled to receive holiday hour pay for the holiday.

An employee is entitled to "in lieu of" holiday time off with pay if the employee's compressed work schedule day off (i.e., eight 9-hour days, one 8-hour day, and one day off within a pay period) is the same day as the observed holiday. The "in lieu of" holiday compensation for the employee falls on the scheduled work day immediately preceding the observed holiday. SLDCADA will recognize the "in lieu of" holiday by populating LH on the schedule work day immediately preceding the observed holiday. "In lieu of" holidays may be reported outside the same pay period as the observed holiday. Part-time employees do not qualify to receive "in lieu of" holiday hours.

LN: Administrative Leave

To be used sparingly; employee is absent from work due to a special circumstance that is beyond the employee's control or a special circumstance that the federal government recognizes as beneficial to the workforce/government. Some examples are listed below:

- Base is closed due to flooding and the employee is unable to report to work
- Employee attends initial counseling session as part of the Employee Assistance Program (EAP).

For further clarification, please consult with Code 64.

OS: Scheduled Overtime

Employees who work in excess of the regularly scheduled 80 hours per pay period may earn overtime pay. Overtime pay is strictly limited to that which is of necessity, such as urgent fleet readiness, emergencies, safeguarding life and property, and instances where savings can be clearly demonstrated. Overtime work must be approved by the employee's supervisor and submitted to Code 64 for confirmation of available funds/approval prior to completion of the work hours. Although overtime may occasionally be necessary, the organization's preference is that employees earn comp time vice overtime when mission requirement necessitate extra work hours.

CE: Compensatory Time Earned (Full-time Employee only)

A full-time employee may earn compensatory time (comp time) if mission requirements necessitate that the employee works in excess of his/her regularly scheduled 80 hours per pay period. The employee may use this comp time instead of leave to cover future absences from work (see CT below). Comp time earned must be formally recorded in SLDCADA using the "CE" code. "Unofficial" comp time not recorded in SLDCADA will not be recognized.

To the maximum extent possible, comp time earned should be approved in advance by the employee's supervisor using NAVCOMPT Form 2282 (located at

https://navalforms.daps.dla.mil/formsDir/_NAVCOMPT_2282_2900.pdf). If the employee works excess time without prior approval, the employee risks not having the time approved and therefore not recorded. For comp time equal to 8 or more hours per pay period, an approved copy the form must be submitted to Code 64 for record keeping purposes. Comp time approvals of less than 8 hours per pay period are to be maintained at the command level.

One year after comp time is earned, unused comp time will pay out as overtime pay for the employee. To encourage the use of comp time earned rather than other forms of leave, the supervisor approving leave should encourage the employee to use comp time as the primary leave source until it is exhausted.

(Part-time Employee)

If mission requirement necessitate a part-time employee work in excess of his/her regularly scheduled hours per pay period, the excess hours should be recorded in SLDCADA as "OS." For the part-time employee, this entry will not allow him/her to accrue a comp time earned balance nor be paid out as overtime. Rather, the part-time employee will receive additional pay for that pay period equal to the produce of his/her hourly rate and number of extra hours worked.

CT: Compensatory Time Taken

An employee who has earned comp time (CE) hours in a previous pay period may use those comp time hours to cover an paid absence from work rather than using other forms of leave. This is recorded in SLDCADA as "CT" (compensatory time taken). The employee must have a "CE" balance in his/her SLDCADA record to use the code "CT" without causing error.

CB: Compensatory Time Earned for Travel (Full and Part-time Employees)

An employee may earn comp time for travel time spent in excess of the regularly scheduled 80 hours per pay period. Comp time earned must be formally recorded in SLDCADA using the "CB" code. "Unofficial" comp time not recorded in SLDCADA will not be recognized. Unlike regular comp time that pays out as overtime when it expires, comp time for travel will not result in overtime pay upon expiration.

Full guidance for determining accrual of comp time for travel is found in 5 CFR, Subpart N, 550.1401 (<http://www.opm.gov/fedregis/2005/69-012705-3858-a.htm>). OJAG/NLSC specific guidance is outlined below. Additional questions regarding travel comp time accruals should be forwarded to Code 64.

Creditable travel comp time hours

Airline Travel and Wait time:

Wait time prior to departure for CONUS travel is 90 minutes.

Wait time prior to departure for OCONUS travel is 120 minutes.

Rail Travel and Wait time:

Approved wait time prior to departure is 30 minutes.

Tour of Duty:

Travel hours that fall outside an employee's regularly scheduled tour of duty (0800-1630) are creditable as travel comp time. However, if the employee's regularly scheduled tour of duty is 0800-1630 and the employee travels between 0730-1600, the employee's tour of duty may be consider as a temporary shift in tour of duties and no travel comp hours are earned.

Non-creditable hours

Normal commuting time:

An employee must subtract their normal commuting time from the travel time. For example, an employee who normally travels 30 minutes to work and who travels 45 minutes to the airport to depart on a flight may only credit 15 minutes of travel comp time.

Tour of Duty:

Travel hours that fall within the employee's regularly scheduled tour of duty (0800-1630) are recorded as RG (regular hours).

Layovers/Delays:

Layovers and/or delays are not credited if occurring during the employee's tour of duty. These layover/delays are recorded as part of the employee's normal workday and are recorded as RG (regular hours).

Travel Layovers:

If an employee travels over the course of two or more days (frequently occurs with OCONUS travel), the employee will not accrue travel comp time for any layovers between flights that would permit the employee to exit the airport and return to the airport later with adequate time prior to the next departure.

Long Delays:

Delays between flights that permit time for activities that do not include direct travel (to and from duty stations). This may include time for meals, sightseeing, or other personal activities.

CF: Compensatory Time Taken for Travel

An employee who has earned comp time for travel (CB) hours in a previous pay period may use those comp time hours to cover a paid absence from work rather than using other forms of leave. This is recorded in SLDCADA as "CF" (compensatory time for travel taken). The employee must have a "CB" balance in his/her SLDCADA record to use the code "CF" without causing error.

KA: Leave without Pay

An approved leave status different than an employee being "absent without leave" (i.e., absent from work without permission). Employee is absent from work and chooses to accept leave without pay because either the employee (1) has no leave balances remaining, or (2) prefers not to use a paid form of leave to cover the absence. Within the leave year, each time an employee uses 80 hours of leave without pay, the employee forfeits one pay period of leave (sick and annual) accrual. Excessive use of leave without pay may also impact an employee's service computation date.

KG: Military Leave without Pay

An approved leave status and is different than an employee being "absent without leave" (i.e., absent from work without permission). Employee is absent from work and receives no civilian pay due to a requirement to perform active or inactive duty in the National Guard or Armed Forces Reserves and the employee either (1) has no leave (LM or LA) or (2) chooses not to use leave (LM or LA) to cover the absence. Use of military leave without pay does not impact an employee's service computation date. Within two week of the employee using military leave, Code 64 must receive a copy of the employee's military orders (or equivalent documentation for inactive duty drills) via the command's timekeeper to substantiate the claim. Employees who are on long-term military order may also need to be placed on a "non-pay" LWOP-US status via an SF-50. Consult with your local HRO for specific directions/requirements.

KB: Suspension

Employee is forced to be absent from work as a result of a disciplinary action issued through the local HRO and receives no pay. An employee is formally notified of a suspension via a Personnel Action (SF50).

KC: Absent without Leave (AWOL)

Employee is absent from work without permission and receives no pay. An employee may be AWOL for all or part of a day. Unlike "leave without pay," this code denotes a disciplinary caution as the employee not followed correct procedure in requesting approved leave and is absent from work when expected to be there.

Additional Leave Options/Programs/Payroll Deductions

Advanced Leave (Sick or Annual)

Employees may be granted advanced leave if approved by the supervisor and (per DoD) there is a reasonable assurance that the employee will be able to pay back the advancement. However, supervisors are strongly cautioned against granting advance leave to employees because paying back a leave debt is often a lengthy process for the civilian. For example, an advancement of 40 hours (1 week) of sick leave will take 20 weeks for the employee to pay back.

To grant advanced leave, the employee and supervisor must complete OPM form 71 (located at http://www.opm.gov/forms/pdf_fill/opm71.pdf) and submit the document to Code 64 via the command timekeeper prior to the leave being used. If the form is not submit through Code 64 prior to the leave being used, the employee risks not being credited for those advanced hours and not getting paid. Only after receiving confirmation from Code 64, should an employee/supervisor/command timekeeper enter an advanced leave code into SLDCADA.

LG: Advanced Sick Leave

Limited to 240 hours per leave year and to be used sparingly; employee has no remaining sick leave or annual leave and requests to be absent for work due to illness.

LB: Advanced Annual Leave

Limited to the number of hours the employee has left to accrue in the current leave year and to be used sparingly; employee has no remaining sick leave or annual leave and requests to be absent for work due to illness of a family member.

Family Medical Leave Act (FMLA):

Covered federal employees are entitled to a total of 12 weeks of unpaid leave during any 12-month period for the (1) birth and care of a newborn child; (b) placement of a child through adoption or foster care; (c) care of a family member with a serious health condition; and/or (d) an illness that makes the employee unable to perform his/her job. The 12 weeks can be intermittent or contiguous. An employee may choose to use the pay/non-pay codes LA, LS, LB, LG, LY, CT, CF, or KA (or any combination thereof) to cover the 12 weeks. The employee must complete form WH-380 and SF-71 to formally enact this entitlement.

To document FMLA in SLDCADA, the employee should report the pay/non-pay code in the THC column and the FMLA code in the Ehz column (see note below). Paper timecards should note both the pay/non-pay and FMLA code as appropriate.

- DA – Birth/care of newborn
- DB – Adoption/foster care
- DC – Care of family member with serious health condition
- DD – Employee illness

Part-time employees may use a pro-rated amount of hours based upon the average number of hours worked.

Federal Employee Family Friendly Leave Act (FEFFLA):

A subset of FMLA; Covered federal employees may use up to 104 hours (13 days) of sick leave each leave year to care for a family member or to arrange for or attend the funeral of a family member. The requirement to maintain a sick leave minimum balance is no longer in effect. Part-

time employees may use a pro-rated amount of hours based upon the average number of hours worked.

To note FEFFLA in SLDCADA, the employee should report "LS" in the THC column and either "DC" or "DE" in the Ehz column (see note below for DC and DE explanations). Paper timecards should indicate "LS-DC" or "LS-DE" as appropriate.

DC – Care of family member with serious health condition
DE – Bereavement

Part-time employees may use a pro-rated amount of hours based upon the average number of hours worked.

Voluntary Leave Transfer Program (Donated Leave)

Civilian employees may donate annual leave to another federal employee who has a documented personal or family medical emergency and who has exhausted his/her available paid leave options. There is no limit on the amount of donated annual leave a leave recipient may receive. Unused donated leave is returned to the leave donor(s) when the recipient's medical emergency ends.

Leave Recipient

To qualify as a leave recipient, an employee's agency must first determine the employee's medical emergency will (or is expected to) result in at least 24 hours of unpaid absence from work. For part-time employees or uncommon tours of duty employees, the period of unpaid absence is prorated. The employee's medical emergency may include either (1) caring for oneself, or (2) caring for a family member. The recipient must complete OPM form 630 (located at http://www.opm.gov/forms/pdf_fill/opm630.pdf) and submit it (with any additional documentation) to Code 64 for enrollment into the program. The employee may be required to submit medical condition updates depending upon the duration of enrollment.

If the emergency is for care of the employee himself/herself, the recipient must exhaust all personal leave (both LS and LA) before drawing upon donated leave. Consequently, a leave recipient must continue to record his/her hours as "LS" or "LA" in SLDCADA as appropriate even when attempting to use donated leave.

If the emergency is for the care of a family member, the recipient must exhaust all annual leave (but not sick leave) before drawing upon donated leave. Consequently, a leave recipient must continue to record his/her hours as "LA" in SLDCADA even when attempting to use donated leave.

The civilian pay databases are designed to convert unpaid hours to paid donated leave hours if the employee exceeds his/her own leave balance within a pay period for either category of leave recipient.

Leave Donor

To donate within the employee's agency, the donor must complete OPM form 630A (located at http://www.opm.gov/forms/pdf_fill/opm630a.pdf). To donate outside the employee's agency, the donor must complete OPM form 630B (located at http://www.opm.gov/forms/pdf_fill/opm630b.pdf). These forms must be submitted to the leave recipient's agency. Within OJAG/NLSC, these forms must be submitted to

Code 64. Upon termination of the medical emergency, the donor may receive “refunded” hours of annual leave if the recipient did not exhaust all leave donated to him/her.

Combined Federal Campaign (CFC)

Combined Federal Campaign contribution/enrollment forms are distributed locally through each command or division CFC representative at the start of each fiscal year. If an employee wishes to contribute to the CFC via payroll deductions, a completed CFC contribution/enrollment form must be forwarded to Code 64 for processing.

Leave Documentation & Record-Keeping

Employees are required to provide various kinds of leave documentation to their division/command's timekeeper. The timekeeper is responsible to forward the appropriate documentation to Code 64. Below are examples of documentation timekeepers must supply to Code 64:

- Military Leave (LM)
- Court Leave (LC)
- Change in work schedule
- Compensatory Time Approval (≥ 8 hours per pay period)
- Travel Compensatory Time Approval (≥ 8 hours per pay period)
- Overtime Request (only OJAG can approve overtime; a local supervisor may NOT approve overtime)
- Advanced Sick Leave
- Advanced Annual Leave

Copies of all listed documentation must be maintained locally at individual command's for 6 years to meet audit requirements.

- Approved employee time and attendance (paper or electronic copy)
- Correction to employee time and attendance (paper or electronic copy)
- Military orders
- Court leave documentation
- All compensatory time approvals
- All overtime requests/approvals signed by 64
- Work schedule changes
- Sign in/Sign out sheets
- Leave requests/approvals (paper or electronic)
- DD Form 577 (required to be completed by supervisors only; located at <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0577.pdf>)

Civilian T&A Points of Contact

These points of contact are able to assist in the administration of civilian time and attendance reporting:

Primary Contact

Ms. Katarolyn Malone
katarolyn.malone@navy.mil
Phone: 202-685-5285 (DSN 325)
Fax: 202-685-5455 (DSN 325)

Alternate Contact

Ms. Amy Stevens
amy.stevens@navy.mil
Phone: 202-685-5286 (DSN 325)
Fax: 202-685-5455 (DSN 325)

WORK SCHEDULE CHANGE FORM

SSN: _____ NAME: _____

UIC: _____ ORG CODE: _____

EFFECTIVE DATE: _____ AWS CODE: _____

TOUR OF DUTY: _____

SSN: _____		NAME: _____					
	SUN	MON	TUES	WED	THUR	FRI	SAT
WEEK 1							
WEEK 2							

Authorizing Signature

Name (Print)

Date