



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, DC 20380-0001

MCO 12630.2
ARCB
24 Sep 92

MARINE CORPS ORDER 12630.2

From: Commandant of the Marine Corps
To: Distribution List

Subj: HOURS OF DUTY, ABSENCE, AND LEAVE

Ref: (a) CPI 610
(b) CPI 630
(c) MCO 12620.1
(d) MCO 12610.1
(e) MCO 12630.1

Encl: (1) Employee Absences for Court or Court-Related
Services

1. Purpose. To establish policies regarding hours of duty, absence, and leave, for civilian employees of Headquarters Marine Corps (HQMC) and other activities serviced by the Marine Corps Consolidated Civilian Personnel Office, Washington, DC (MCCCPO-DC); i.e., Headquarters Battalion, Henderson Hall; Marine Barracks, 8th and I Streets, Washington, DC; and the Marine Corps Systems Command.

2. General

a. Hours of duty for civilian employees are established by heads of HQMC staff agencies and heads of serviced activities. All civilian employees not on a compressed work schedule will work 8 hours per day, 40 hours per week, exclusive of lunch periods.

b. Absence from duty on the part of civilian employees must be approved by the appropriate supervisory authority. Leave is a benefit which civilian employees of the Marine Corps accrue for purposes of vacations, periods of illness or medical treatment, or other personal reasons. However, the use of leave is subject to supervisory approval. Unless leave approval is mandatory, such as leave for military or jury duty, leave will not be approved in cases where the employee's absence would impact on mission accomplishment. Any unauthorized absence will be recorded as absence without leave (AWOL).

3. Responsibilities

a. Employees will:

(1) Adhere to the hours of duty established for their positions.

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(2) Know their accrued leave balances and, except in cases of emergency and leave without pay, ensure that accrued leave is available to cover periods of requested absence.

(3) Follow established procedures for requesting and obtaining supervisory approval for leave, to include local office operating procedures.

(4) Schedule annual leave and planned sick leave as far in advance as possible to facilitate planning for office coverage, workload redistribution, etc.

(5) Contact the immediate supervisor, acting supervisor, or other designated individual in the supervisory chain to request leave within 2 hours of the beginning of their workday when illness or an emergency renders absence unavoidable. Such contact should be made each subsequent day of absence unless approval is initially received for a duration of more than 1 day.

b. Supervisors will:

(1) Advise employees of approval or disapproval of leave requests as soon as possible after the request is received.

(2) Plan for the leave requirements of subordinates as compared with mission requirements.

(3) Ensure that "use or lose" leave is scheduled for use prior to the end of the leave year to avoid forfeiture.

(4) Initiate appropriate counseling or corrective action in cases of suspected leave abuse or unauthorized absences.

c. The Employee Relations/Training Section, MCCCPO-DC will:

(1) Administer the policies outlined in this Order and the references.

(2) Provide assistance to supervisors in carrying out their responsibilities in regard to hours of duty and employee attendance.

(3) Provide orientation to new employees with regard to hours of duty and leave, and provide guidance and assistance to employees when questions arise.

4. Policy

a. Hours of Duty

(1) The standard tour of duty for civilian employees of HQMC is 0800 to 1630, which includes 30 minutes for lunch. Heads of staff agencies may authorize alternate tours of duty; e.g., 0730 to 1600 or 0700 to 1530. Heads of staff agencies may redelegate the authority to establish alternate tours of duty to subordinate supervisors. Heads of serviced activities may establish standard tours of duty for civilian employees of their commands. Heads of serviced activities may also redelegate the authority to establish tours of duty to subordinate supervisors.

(2) The standard administrative workweek for HQMC and serviced activities is Monday through Friday. Heads of staff agencies and heads of serviced activities may authorize alternate workweeks of Tuesday through Saturday, as mission requirements dictate.

(3) Tours of Duty involving working hours before 0600 or after 1800 entitle employees to a night pay differential. Such tours, other than for shift employees, may not be authorized without the written approval of the Director of Administration and Resource Management (DirAR) or, in the case of a serviced activity, the commander or the designee.

(4) Workweeks which include Sunday as a workday entitle employees to a Sunday pay differential. Such workweeks, other than for employees such as computer operators or other positions in which coverage is required 7 days a week, may not be authorized without the written approval of the DirAR or, in the case of a serviced activity, the commander or the designee.

(5) Specific break periods, other than the lunch period, are not authorized. However, employees should be allowed reasonable breaks as necessary during the workday to take care of personal needs.

(6) Flexitime and compressed work schedules may be established in accordance with reference (c).

(7) Overtime, to include compensatory time, will be approved in accordance with current directives.

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b. Annual Leave. Annual leave is an approved absence from duty with pay. Annual leave may be granted for purposes of vacations, or to attend to emergencies or personal business which can only be handled during working hours.

(1) Annual leave may be charged in increments of 1/2 hour. Increments of less than 1/2 hour may not be charged.

(2) Any accrued annual leave is available for use as of the time it is accrued. Supervisors have the authority to advance annual leave up to the amount the employee will earn for the remainder of the leave year ("Leave year" means the period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year).

(3) Annual leave should be scheduled as early as possible for planning purposes. Annual leave in excess of the 240 hour maximum carry-over per leave year must be scheduled no later than the start of the third biweekly pay period prior to the end of the leave year, or used by the end of the leave year, to avoid forfeiture.

(4) Annual leave which is forfeited at the end of the leave year may be restored for use at a later date provided the leave was scheduled no later than the start of the third biweekly pay period prior to the end of the leave year and canceled because of a medical emergency or an exigency of the public business.

(5) The Head, MCCCPO-DC will serve as the approving official for restoration of forfeited annual leave. Requests for restoration must be forwarded as soon as possible after the end of the leave year to the DirAR (ARCB) and must include:

(a) Evidence that the leave was scheduled no later than the start of the third biweekly pay period prior to the end of the leave year. A completed [Standard Form \(SF\) 71](#), "Application for Leave," will be sufficient for this purpose.

(b) A statement of the exigency of the public business or medical emergency that precluded use of the leave by the end of the leave year.

(c) Endorsement by the head of a branch, division, or department, or equivalent.

c. Sick Leave. Sick leave is an approved absence from duty with pay. Sick leave may be granted when an employee is medically incapacitated for duty by injury, illness, or pregnancy or for periods of medical, dental, or optical treatment.

(1) Sick leave may be charged in 1/2 hour increments. Increments of less than 1/2 hour may not be charged.

(2) Any accrued sick leave is available for use as of the time it is accrued. Sick leave accrues without limitation.

(3) Sick Leave may be advanced up to a maximum total of 240 hours. Advanced sick leave is repaid by the employee in subsequent pay periods at the accrual rate of 4 hours per pay period. Supervisors have authority to approve advanced sick leave. Advances of sick leave must be supported by the employee's request for advance sick leave (on SF-71 or other form of written request) and administratively acceptable medical documentation of the nature of illness or injury and prognosis for return to duty. Sick leave should not be advanced unless there is reasonable assurance that the employee will return to a duty status for a duration sufficient to repay the amount of leave advanced.

(4) For absences of 3 days or less, supervisors may accept the employee's self-certification of incapacitation for duty and approve sick leave. For absences of more than 3 days, certification from a medical doctor or other licensed practitioner is required in order for sick leave to be approved. A medical certificate may be requested at the supervisor's discretion for periods of absence of 3 days or less when there have been frequent periods of absence or where abuse of sick leave privileges is suspected. Medical certification must be administratively acceptable to the supervisor in order for sick leave to be approved. Supervisors may require information such as diagnosis of the illness, treatment received, clinical findings, prognosis for return to duty, etc., as necessary.

d. Leave Without Pay. Leave without pay (LWOP) is an absence from duty, with supervisory approval, without pay.

(1) LWOP will only be charged at the employee's request, or; when leave is requested and approved, the employee has insufficient paid leave which may be granted based on the reasons for the absence, and an advance of paid leave has not been approved.

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(2) There is no limitation on the amount of LWOP which may be granted. However, with the exception of the mandatory approvals outlined below, LWOP should only be granted when there is a reasonable expectation that the employee will return to duty at the end of the period of LWOP and there will be a benefit to the Marine Corps in terms of improved performance, improved health, retention of a valued employee, or other benefit. In addition, employees should be required to use any accrued annual leave before a request for LWOP is approved.

(3) Approval of LWOP is mandatory under the following circumstances:

(a) Up to 90 days of LWOP will be granted to employed family members of transferring military and civilian personnel who are required to move on rotational assignments, in a transfer of function or a relocation of an activity, or who accept another Federal job outside the commuting area. Additional leave without pay may be granted.

(b) An injury compensation recipient will be granted up to 1 year of LWOP while unable to work due to a job-related illness or injury.

(4) Periods of LWOP of more than 30 calendar days must be documented on an SF-52, "Request for Personnel Action," and submitted to the DirAR (ARCC).

e. Absence Without Leave. Absence without leave (AWOL) is a period of absence for which leave has not been approved and for which pay is not received. While both are periods of unpaid absence, AWOL should not be confused with LWOP. LWOP is an approved leave category. AWOL is a category of unauthorized absence. AWOL, while not disciplinary in and of itself, can serve as grounds for disciplinary action. AWOL is charged in the exact amount of time absent, to the minute.

f. Administrative Dismissal. Reference (e) contains policy for administrative dismissal because of hazardous weather conditions. Civilian employees may be dismissed for up to 3 days without charge to leave in cases of interruption of building services; e.g., power failures, breakdown of heating or cooling equipment. However, such dismissals should be unusual and should only be authorized in extreme circumstances when working conditions become impossible or unbearable. Administrative dismissal of HQMC employees requires the approval of the

Commandant or his designee. Administrative dismissal of employees of serviced activities requires the approval of the Commander or designee.

g. Excused Absence. Excused absence is an absence from duty with pay and without charge to leave upon approval by the proper authority. Excused absence will not be approved in any case in which the absence would result in lack of adequate office coverage or would have an adverse impact on mission accomplishment.

(1) Supervisors are authorized to grant excused absence in the following amounts under the following circumstances:

(a) Tardiness and other brief periods of absence of less than 1 hour may be excused for good cause.

(b) Marine Corps civilian employees are encouraged to serve as blood donors and may be excused from work without charge to leave for the time necessary to donate the blood, for recuperation following blood donation, and for travel to and from the donation site. The maximum period of excused absence which may be granted for this purpose is 4 hours.

(c) Absence for the purpose of voting in Federal, State, county, or municipal elections may be excused when an employee's scheduled tour of duty as compared with the hours during which polls are open would make voting difficult. Excused absence for this purpose may be granted to permit employees to report for work up to 3 hours after the polls open or to leave work up to 3 hours before the polls close.

(d) Civilian employees may be excused to participate in employment interviews when the interview is for another position within the Marine Corps or when the employee is under notice of separation or change to lower grade for any reason except personal cause.

(2) Excused absence will not be granted for the purpose of allowing employees to exercise or participate in fitness activities. Employees who wish to exercise during the workday may be allowed to adjust their work schedules in accordance with the flexible schedules allowed by reference (c). For example, an employee who wishes to go jogging during a lunch break may be allowed to work 0800 to 1200, take a 1 1/2 hour lunch break, then return from jogging and work from 1330 to 1730.

(3) Federal holidays are defined by statute. Absent congressional action to change the statute, additional holidays may only be granted by executive order. Excused absence may not be used for the purpose of granting all or part of a day as as a holiday.

h. Leave for Parental and Family Responsibilities.

Separate categories of leave entitled "maternity leave" or "paternity leave" do not exist in the civil service. It is the policy of the Federal Government, as an employer, to accommodate employees' need for time off to fulfill parental and family responsibilities through the approval of annual leave, sick leave, or leave without pay. The following guidelines shall be applied when granting leave for these purposes:

(1) Sick leave is appropriate for the period of incapacitation for delivery of a child and recuperation. Sick leave may also be granted during pregnancy when complications render the employee medically unable to work.

(2) Annual leave may be granted to a mother or father who wishes to stay at home for a period of time to care for a newborn infant. Reasonable periods of LWOP may also be granted for this purpose.

(3) Reasonable amounts of annual leave and LWOP should be granted for employees with children who need regular medical check-ups or who suffer minor illnesses. Sick leave may be granted to an employee whose child is suffering with a highly contagious disease for which public health officials require the child to be quarantined, isolated, or restricted.

i. Leave for Military Service. A civilian employee who is a member of a reserve component or the National Guard shall, upon request, be granted military leave to which entitled for the performance of active duty or active duty for training. If an employee who is a reservist or National Guardsman is not entitled to, does not request, or has exhausted all military leave, the individual shall be granted annual leave or LWOP, as requested, for the performance of active or inactive duty. If the reservist or National Guardsman is ordered to an initial period of active duty for training of not less than 3 consecutive months, the individual may be subject to military separation or furlough.

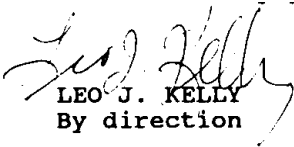
j. Court Leave. Court leave is the authorized absence without loss of pay for jury duty or for attending judicial proceedings in a non-official capacity as a witness on behalf of

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a State or local government. Appearance in court in an official capacity or as a witness on behalf of the Federal or District of Columbia Governments is recorded as official duty time rather than court leave. The enclosure reflects the circumstances under which court leave may be granted. Jury or witness fees may not be accepted for days when the employee is in an official duty or court leave status. However, reimbursement for expenses incidental to jury or witness obligations may be accepted. A copy of the subpoena or other document requiring appearance in court must be submitted in support of any request for court leave.

k. Leave Transfer. Employees who encounter personal or family medical emergencies that cause them to enter into a nonpay status for at least 80 hours after exhausting all accrued leave are eligible to become recipients of donated annual leave under the Voluntary Leave Transfer Program. Requests to receive and donate annual leave under this program will be processed in accordance with reference(e).

5. Action. Heads of staff agencies and heads of serviced activities are requested to ensure that all civilian personnel and their supervisors are aware of and comply with this Order.


LEO J. KELLY
By direction

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EMPLOYEE ABSENCES FOR COURT OR COURT-RELATED SERVICES

Nature of service	Type of absence			Fees		Government travel expenses	
	Court leave	Official duty	Annual leave or LWOP	No	Yes	No	Yes*
					Retain Turn in to agency		
I JURY SERVICE							
(A) U.S. or D.C. court.....	X			X		X	
(B) State or local court.....	X				X	X	
II WITNESS SERVICE							
(A) On behalf of U.S. or D.C. government.....		X		X			X
(B) On behalf of State or local government							
(1) in official capacity.....		X			X		X
(2) not in official capacity.....	X				X	X	
(C) On behalf of private party							
(1) in official capacity.....		X			X		X
(2) not in official capacity							
→(a) when a party is U.S., D.C., or State or local government.....	X				X	X	
(b) when a party is not U.S., D.C., or State or local government.....			X		X	X	←

*Offset to the extent paid by →the court, authority, or party which caused the employee to be summoned.←

ENCLOSURE (1)