



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON, TN 38055-0000

BUPERSINST 12600.5 CH-1
BUPERS-05
19 Apr 2021

BUPERS INSTRUCTION 12600.5 CHANGE TRANSMITTAL 1

From: Chief of Naval Personnel

Subj: CIVILIAN LEAVE FOR THE BUREAU OF NAVAL PERSONNEL

Encl: (1) Revised page 1 and 3

1. Purpose. To transmit revised page 1 and 3 of the basic instruction. This change revises the citation of reference (c) and adds eligibility for employees to take a total of 12 administrative workweeks of unpaid leave during any 12-month period to care for a covered Service member with a serious injury or illness, if the eligible employee is the Service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).
2. Action. Remove page 1 and 3 of the basic instruction and replace with pages 1, 3, and 3a of this change transmittal.
3. Records Management
 - a. Records created as a result of this change transmittal, regardless of format or media, must be maintained and dispositioned for the standard subject identification codes (SSIC) 1000 through 13000 series per the records disposition schedules located on the Department of the Navy/Assistant for Administration (DON/AA), Directives and Records Management Division (DRMD) portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.
 - b. For questions concerning the management of records related to this change transmittal or the records disposition schedules, please contact your local records manager or the DON/AA DRMD program office.

A handwritten signature in black ink, appearing to read "A. Holsey", with a stylized flourish at the end.

A. HOLSEY
Deputy Chief of Naval Personnel

Releasability and distribution:

This change transmittal is cleared for public release and is available electronically only via BUPERS Web site: <https://www.mynavyhr.navy.mil/References/Instructions/BUPERS-Instructions/>.



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Ref: (a) 5 U.S.C.
(b) BUPERS Civilian Leave Guide of August 2017
(c) DoD 7000.14-R, Volume 8, Chapter 5, Financial Management Regulation (FMR):
Leave and Other Absences, July 2019

1. Purpose. To establish the Bureau of Naval Personnel (BUPERS) policies and procedures for granting leave, ensuring compliance with leave policies, and ensuring equitable administration of these policies. This instruction has been revised to update Family Medical Leave eligibility entitlements.

2. Cancellation. BUPERSINST 12600.5

3. Scope and Applicability. This instruction applies to BUPERS commands and its subordinate commands.

4. Policy

a. Civilian employees accrue annual leave and sick leave as prescribed by reference (a), sections 6303 and 6307. The leave year consists of 26 pay periods and approximates the calendar year. The granting and approving of leave is a matter of administrative discretion, determined by the employee's supervisor. The fact employees have accrued leave to their credit does not give them the right to "take" leave at any time they desire.

b. Supervisors should establish and frequently review leave schedules to ensure opportunities to take use or lose leave are given to employees. Employees may be required to take annual leave at times specified by the supervisor.

c. Absences should be approved in advance by proper authority, except in cases of unforeseen emergencies. Employees may report their absence to the supervisor by telephone if serious illness or death in the immediate family occurs or in other situations where extenuating circumstances constitute an emergency. The employee will be granted leave until such time as they have had an opportunity to furnish a full explanation for the absence.

5. Responsibilities

a. Total Force Human Resources and Manpower (BUPERS-05)

(1) Advises managers and employees on leave policies and guidance.

(2) Finalizes approval of annual or sick leave in excess of 30 days, advanced annual or sick leave, and leave without pay (LWOP) in excess of 10 working days.

b. Head of the Organizational Unit, Department Head (DH), Officer in Charge (OIC), Commanding Officer (CO), or their Designee

(1) Ensures the uniform application of time and leave procedures within their organization.

(2) Controls and approves leave for civilian employees per the guidance outlined in references (a) and (b).

c. Employee

(1) Submits leave requests in advance, when possible, in the Standard Labor Data Collection and Distribution Application (SLDCADA).

(2) Submits extended leave requests to the civilian pay customer service representative via NAVPERS 12600/3 BUPERS Civilian Employee Request for Extended Leave. See paragraph 10 of this instruction for information on obtaining NAVPERS 12600/3.

6. Types of Leave. Per references (a) and (b), types of civilian leave commonly used at BUPERS are summarized below:

a. Annual Leave. Granted for such purposes as vacations, time-off for personal reasons, business, or emergencies. Period of leave for vacation as a means of promoting good health and morale are to be encouraged.

b. Sick Leave. Granted to employees when they are:

(1) Sick;

(2) Injured;

(3) Confined by pregnancy;

(4) Required to give care to a member of their immediate family who is afflicted with a contagious disease or the health of others would be jeopardized by their presence on duty because of exposure to a contagious disease;

(5) For medical, dental, and optical appointments; and

(6) To make arrangements necessitated by the death of a family member or attend the funeral of a family member.

c. Advanced Annual Leave. Annual leave may be advanced in exceptional cases only when it appears likely that the employee will be able to accumulate such leave within the current leave year or there is a reasonable assurance that the employee will be in a duty status long enough to earn the advanced leave.

d. Advanced Sick Leave. Sick leave may be advanced in exceptional cases where the employee is suffering from serious disability or illness that requires a large amount of sick leave. Requests will be received and granted based on individual needs. Sick leave will only be advanced at the expiration of all accrued sick and "use or lose" annual leave.

e. Family Medical Leave. The Family and Medical Leave Act (FMLA) of 1993 provides eligible Federal employees up to 12 administrative workweeks of unpaid leave, otherwise known as LWOP, during any 12-month period for certain family and medical needs.

(1) FMLA is available to most permanent employees of the Federal Government who have completed at least 12 months of service. It is not available to part-time employees, intermittent employees, or temporary employees serving under a temporary appointment with a time limitation of 1 year or less. Eligible employees must use NAVPERS 12600/4 BUPERS Civilian Employee Request for Leave under the Family and Medical Leave Act. See paragraph 10 of this instruction for information on obtaining NAVPERS 12600/4.

(2) Eligible employees are entitled to a total of 12 administrative workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

(a) The birth of a child of the employee and the care of the newborn;

(b) The placement of a child with the employee for adoption or foster care;

(c) The care of a spouse, son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a serious health condition; or

(d) A serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.

(e) Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty."

(3) An employee is eligible for 26 work weeks of leave during a single 12-month period to care for a covered Service member with a serious injury or illness, if the eligible employee is the Service member's spouse, son, daughter, parent, or next of kin (military caregiver leave)

f. Administrative Leave. Administrative leave is an administratively authorized absence from duty without the loss of pay or charge to leave. This covers situations in which the Deputy Chief of Naval Personnel exercises authority to close all or part of an office and administratively excuses the non-emergency civilian workforce. Administrative leave must be approved through BUPERS-05 prior to use and may only be used for the following instances:

(1) Unanticipated curtailment of operations based on extreme weather;

(2) Natural disasters; or

(3) Unforeseen interruptions of transportation or building services (potential health or safety risk).

g. Restored Annual Leave. Per reference (c), BUPERS may restore annual leave that was forfeited due to being in excess of the maximum leave ceilings (e.g. 30, 45, or 90 days) if the leave was forfeited because of administrative error, exigency of the public business, or sickness of the employee.

(1) Department of the Navy (DON) makes the determination as to what constitutes an administrative error.

(2) Exigency of the public business means there is an urgent need for the employee to be at work such that excess annual leave cannot be used. An employee's use of earned compensatory time off or credit hours does not constitute an exigency of the public business. If the use of earned compensatory time off or credit hours that are about to expire results in the forfeiture of excess annual leave, the forfeited leave may not be restored.

(3) An employee's sickness or injury must occur late in the leave year or be of such duration that it prevented the scheduling of the excess annual leave before the end of the leave year.

(4) BUPERS may consider restoration for annual leave that was forfeited due to an exigency of the public business or sickness of the employee only if the annual leave was scheduled in writing before the start of the third pay period prior to the end of the leave year.

(5) If restoration is based on exigency of the business, the determination that an exigency is of major importance and that annual leave may not be used must be made by Deputy Chief of Naval Personnel.

(6) The request for leave and the denial of the requested leave must be documented in SLDCADA. Within 2 weeks of the denial of leave, copies of the denied leave request with a memorandum from the employee's supervisor stating that leave has been denied, the reason for the denial, and the approximated date the exigency will be terminated must be submitted to BUPERS-05. Final approval will be determined by BUPERS-05. If the request is granted, the restored leave must be used by the end of the leave year, 2 years after the termination of the exigency which required the denial of scheduled leave.

h. Reference (b) provides more detail on BUPERS leave policy and procedures and is located here: BUPERS-05 Customer Guides.

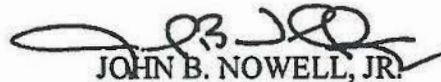
8. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual (SECNAV) 5210.1 of January 2012.

9. Review and Effective Date. Per OPNAVINST 5215.17A, BUPERS-05 will review this instruction annually on the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 5 years after its issuance date unless reissued or canceled prior to the 5-year anniversary date, or an extension has been granted.

10. Forms. The following forms are available at <http://www.public.navy.mil/bupers-npc/reference/forms/Pages/default.aspx>

a. NAVPERS 12600/3 BUPERS Civilian Employee Request for Extended Leave

b. NAVPERS 12600/4 BUPERS Civilian Employee Request for Leave under the Family Medical Leave Act.



JOHN B. NOWELL, JR.
Deputy Chief of Naval Personnel

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