



CC361.01  
EFFECTIVE DATE: 16 February 2012

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**By Order of the Assistant Secretary for Health:**

**Howard K. Koh, M.D., M.P.H.**

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SUBJECT: Leave of Absence; General

1. PURPOSE: This Instruction defines the types of leave granted to officers in the Commissioned Corps of the U.S. Public Health Service (Corps). This includes annual, sick, station, court, administrative leave, as well as leave without pay details and absent without leave (AWOL).
2. APPLICABILITY: This Instruction applies to Corps officers serving on extended active duty.
3. AUTHORITY:
  - 3-1. [42 USC 210-1](#), "Annual and Sick Leave"
  - 3-2. [CC43.7.1](#), "Involuntary Separation"
  - 3-3. [CC46.4.1](#), "Disciplinary Action"
  - 3-4. [CC49.1.1](#), "Annual, Sick, and Station Leave"
  - 3-5. Joint Federal Travel Regulations (JFTR), as amended.
  - 3-6. [Comp. Gen. 648 \(1981\)](#) B-201716
  - 3-7. [CCD 49.1.1](#), "Annual, Sick and Station Leave", dated 25 October 1979
4. PROponent: The proponent of this Instruction is the Assistant Secretary for Health (ASH). The responsibility for assuring the day-to-day management of the Corps is the Surgeon General (SG).
5. SUMMARY OF REVISIONS AND UPDATES: This is the first issuance of this Instruction within the electronic Commissioned Corps Issuance System (CCIS) and replaces Commissioned Corps Personnel Manual (CCPM) CC29.1.1, "Leave of Absence; General," dated 8 August 1985. Substantive changes include:
  - 5-1. Clarification for Recall from Leave
  - 5-2. Clarification of Station Leave
  - 5-3. Clarification and expansion of Administrative Leave

- 5-4. Clarification of Court Leave
- 5-5. Addition of Adoption Leave
- 5-6. Addition of Paternity Leave
- 5-7. Addition of Consecutive Overseas Tour Leave
- 5-8. Addition of Rest and Recuperation Leave
- 5-9. Addition of Environmental and Morale Leave
- 5-10. Clarification of Leave Without Pay status
- 5-11. Addition of Emergency Leave and Emergency Leave of Absence

## 6. POLICY:

6-1. General. The purpose of leave, in general, is to allow an officer to rest, recreate and refresh both mentally and physically.

- a. Corps officers are subject to call to duty 24 hours each day, every day of the year. Therefore, officers are not eligible for overtime or compensatory time when they work longer than 8 hours a day or more than 40 hours a week.

Note: In accordance with Commissioned Corps Directive (CCD) [121.03](#), "Accommodation of Religious Practices," dated 1 March 2007, worship services, holy days, and Sabbath observances should be accommodated to the extent possible except when precluded by mission necessity.

- b. If an officer is not at work during regularly scheduled duty hours and is not in an official leave status, the officer is Absent Without Leave (AWOL) (see Subsection 6-15).

- c. Except in cases of emergency, all leave taken by a Corps officer must be approved in advance by the officer's leave granting authority.

- d. An officer is subject to recall to duty at any time from leave, and is required to keep his/her leave granting authority informed of his/her whereabouts during any period of leave, including sick leave.

- (1) Recall for Operational Reasons. An officer is authorized Temporary Duty (TDY) per diem, transportation, and reimbursable expenses (computed as if returning to a Permanent Duty Station (PDS) from TDY) for travel:

- (a) Beginning the day the officer departs from the leave location or place he/she received an authorization/order cancelling leave, and ending on the arrival at the duty station; and

- (b) If authorized to resume leave, beginning the day the officer departs from the duty station, and ending on the arrival day at a leave location no farther distant from the duty station than the place he/she received the authorization/order canceling leave.

- (2) An officer who departs from a PDS or TDY station on authorized leave and is recalled to the same duty station, is authorized TDY per diem, transportation, and reimbursable expenses (computed as if returning to a PDS from TDY) for travel, in the following circumstances:

- (a) Actual disaster contingency or emergency war operations, or

- (b) An urgent, unforeseen circumstance (and the authorized leave is for 5 or more days):

- (i) Within 24 hours of departure, or

- (ii) More than 24 hours after departure, if the recalling official authorizes/approves after determining that:

- (aa) A substantial portion of the scheduled leave period has been eliminated by the recall, or

- (bb) The leave purpose has been defeated (60 Comp. Gen. 648 (1981)).
  - (iii) An urgent, unforeseen circumstance is defined as an event that if not taken care of/handled immediately will result in the loss of life, limb or would result in a catastrophic or costly delay to the recalling official, Operating Division (OPDIV), Staff Division (STAFFDIV) or non-Department of Health and Human Services (Department or HHS) organization.
- (3) When an officer is on authorized leave and it becomes necessary to recall him/her to duty, the period of absence shall not be charged to the leave account when the period between departure on leave and the officer's receipt of the recall to duty is 3 days or less.
- (4) An officer shall be afforded a reasonable amount of time in order to procure travel back to the PDS station.
- (5) Recall from leave is not to be used as a punitive act or to handle non-emergent or non-urgent routine events.
- e. Leave records are subject to the provisions of the Privacy Act of 1974. [CC26.1.7](#), "Privacy Act," sets forth the procedures to be followed in the maintenance of these records.
- f. Federal public holidays established by Federal statute shall be observed, except when prevented by OPDIV, STAFFDIV or non-HHS organization to which assigned. When such holidays fall on a Saturday, the preceding Friday shall be considered a holiday, and when such holidays fall on a Sunday, the succeeding Monday shall be considered a holiday. Holidays are to be charged as leave if they fall within the effective dates of leave.
- g. An officer shall not be denied leave for preemptive reasons or for instances in which the officer's PDS or TDY station's normal operations are not substantially effected. An officer may be restricted from taking annual leave during a period not to exceed a maximum of 60 days as a result of a summary administrative action.
- h. Chargeable paid leave of absence is any leave that is charged against an officer's annual leave balance.
- i. Non-chargeable paid leave of absence is any administrative type leave that is not charged against an officer's annual leave balance.
- j. To obtain maximum benefit from the purpose of leave, officers shall be afforded opportunities to take frequent periods of leave, including and whenever possible, at least one extended leave period each year of approximately 14 days of consecutive days in length or longer.
- k. Important Leave Periods. When encouraging an officer to use leave, particular emphasis shall be placed on granting leave in the following circumstances:
  - (1) Upon a permanent change of station or after periods of arduous duty and protracted periods of deployment from the home duty station.

- (2) During traditional national holiday periods.
- (3) When there is evidence of deteriorating health and/or morale or when a Corps officer and/or his/her families have been personally affected by natural disasters or emergencies.
- (4) For attendance at spiritual events or for other religious observances for which other types of leave is inadequate or inappropriate.
- (5) During the processing period incident to separation from active duty, or upon retirement, when requested.

6-2. Annual Leave.

- a. Annual leave is any period of one workday or more during which an officer is relieved from his/her scheduled working hours (other than sick leave) including all non-workdays falling within such period.
- b. Annual leave is not transferred to another uniformed service if the officer separates for a period of one or more full day from the Corps prior to accepting appointment in another uniformed service. However, annual leave may be transferred if the officer transfers to another uniformed service without first separating from the Corps (see [CC29.1.2](#), "Annual Leave").
- c. Specific instructions or guidance pertaining to annual leave are stated in [CC29.1.2](#), "Annual Leave."
- d. An officer of the Ready Reserve Corps must be activated and serve a continuous 30 days before the officer can accrue annual leave. Leave accrued by a Ready Reserve Corps officer must be used prior to the end of his/her current duty rotation.

6-3. Sick Leave.

- a. Sick leave is defined as leave granted when an officer is in need of medical services or is incapacitated for the performance of duties by sickness, injury, pregnancy or postpartum recovery period (maternity leave).
- b. The officer's leave granting authority may require an officer to remain in the vicinity of his/her duty station while the officer is on approved sick leave.
- c. Specific policies pertaining to sick leave or maternity leave are stated in [CC29.1.4](#), "Sick Leave."
- d. Sick leave is not authorized for the care of a family member, regardless of dependency status.
- f. Sick Leave for Ready Reserve Corps officers on active duty will be the same as Regular Corps officers.
- g. There is no accrual of sick leave under the Corps' leave system; however, sick leave is not without limits.

- h. An officer on annual leave who becomes ill and/or requests sick leave while on annual leave may have his/her chargeable annual leave request amended to reflect sick leave while on leave.

6-4. Station Leave.

- a. Station leave is defined as absence from duty and station under the following conditions:
  - (1) During off-work hours (i.e., the period between the normal completion and commencement of scheduled working hours) on two consecutive workdays;
  - (2) On a non-workday unless the non-workday falls within a period of annual leave (see [CC29.1.2](#), "Annual Leave"); or
  - (3) For a period of less than one workday.
- b. An officer may be granted station leave under the circumstances stated above, unless otherwise directed by his/her leave granting authority. Station leave is not a right; it is a privilege which shall be granted prudently and only for legitimate reasons as described herein. Station leave during scheduled work hours should be approved only when such leave is necessary to permit an officer to carry out activities that would be difficult, if not impossible, to conduct during non-work hours.
- c. In addition to training programs that an officer may be directed to attend, an officer's leave granting authority may permit an officer to be on station leave for not more than one-half workday per week to participate, at no expense to the Government, in training programs which have a potential benefit for the officer and the Corps. Permission to use station leave to participate in training programs at no expense to the Government may be revoked at any time by the officer's leave granting authority.
- d. Pursuant to the Standards of Conduct pertaining to Corps officers ([CC26.1.1](#), "Standards of Conduct"), officers shall not be granted station leave during scheduled work periods for the purpose of engaging in outside activities for which compensation is paid.
- e. Under no circumstances shall station leave be routinely granted to reduce the work hours of an officer.
- f. Station leave for Ready Reserve Corps officers on active duty will be the same as Regular Corps officers.

6-5. Administrative Leave.

- a. Any absence for a full workday or more is normally charged to annual leave. However, there may be situations in which an officer may be excused from duty for a full workday or more without charge to annual leave. Such absence may be authorized as administrative leave under circumstances which are in the interest of the Corps as well as the officer, as determined by the leave granting authority. Administrative leave may be authorized for the following:

- (1) Attendance at Professional Meetings. An officer may be granted administrative leave to attend a professional meeting when such attendance is considered beneficial to the Corps and the officer.
  - (2) Taking Professional Examinations. An officer may be granted administrative leave to take professional examinations. This would include examinations for State licensure and specialty board certification, whether or not the examination is taken at the Corps' expense. Administrative leave is not appropriate if the officer is authorized official travel to and from the place of examination (see [CC25.3.1](#), "Payment of Specialty Board Examinations" and [CC25.3.2](#), "Payment of Medical Licensure").
  - (3) Permanent Change of Duty Station (PCS).
    - (a) An officer may be granted administrative leave as follows:
      - (i) Up to 3 days, before departure from his/her old duty station, for the purpose of arranging the movement of his/her household goods to the new duty station;
      - (ii) Up to 3 days, upon reporting to duty at a new duty station, including the officer's first duty station, for the purpose of receiving his/her household goods and establishing his/her household; and
      - (iii) Up to 7 days for house hunting purposes in relation to a geographical PCS. The officer is responsible for paying all costs associated with the house hunting efforts, including travel costs in addition to authorized PCS travel.
    - (b) Administrative leave may not be granted during the period between the officer's scheduled departure from the old duty station and arrival at the new duty station. Administrative leave shall not be granted to an officer upon his/her separation from active duty, including retirement.
- b. Except as provided in Subsection 6-5.a, administrative leave will be limited to not more than 5 days each calendar year and will be limited to the number of days required for the purpose for which it was granted, including round trip travel time where required. Absence from duty for longer periods will be charged as annual leave. Administrative leave shall not be authorized for nonprofessional personal reasons. When administrative leave in excess of 5 days is approved, or as authorized in Subsection 6-5.a, an officer may apply for a Permissive Temporary Duty (PTDY) assignment, as applicable.
- (1) PTDY is a period of authorized administrative absence to attend or participate in a designated official or semi-official program for which funded TDY is not appropriate. PTDY is not chargeable leave. Leave granting authorities may not authorize PTDY in place of annual leave.
  - (2) PTDY means there is no transportation or per diem paid by the Government, and officers are not charged for annual leave.
  - (3) Types of authorized PTDYs include, but are not limited to:

- (a) Traveling to or in the vicinity of a new PDS to secure off-base housing before the member out processes the old PDS.
- (b) Accompanying a dependent patient or military member patient to a designated Military Treatment Facility (MTF) not in the local area when the medical authority deems it essential. Cost of travel expenses may be reimbursed by TRICARE, if authorized.
- (c) Attending national conventions or meetings hosted by uniformed service-connected organizations.
- (d) Participation in recruiting activities.

#### 6-6. Court Leave.

- a. Court leave is non-chargeable leave of absence from duty without loss of pay or charge to annual leave to perform jury duty in a Federal, State, tribal or municipal court or to serve as a witness for the United States, the District of Columbia, or a State or local government. An officer who is summoned by the courts or assigned by the Corps to testify in an official capacity or to produce official records on behalf of any party in any judicial proceeding is performing official duty and is not entitled to court leave, but is in an official duty status for the time involved.
- b. Court suits between private individuals or companies in which the United States, the District of Columbia, or a State or local government is not an involved party does not entitle an officer to court leave
- c. An officer must take annual leave if he/she is a witness when not entitled to court leave.
- d. An officer is entitled to receive and retain expenses paid for services rendered and reimbursement for travel expenses. When a State or local court characterizes jury and witness fees as expenses/allowances, there is no requirement for the officer to turn in such fees to the Government or HHS. The officer cannot retain fees received in most circumstances. The certificate of attendance should separately identify fees and expenses/allowances. Fees received by the officer are collected while the expenses/allowances are not. If the certificate of attendance does not identify expenses separately, all monies are considered fees and shall be turned in according to Departmental, OPDIV, STAFFDIV, or non-HHS organizational rules.
- e. Information regarding travel and transportation allowances for officers summoned as witnesses is set forth in the [Joint Federal Travel Regulations](#), Volume 1.

#### 6-7. Adoption Leave.

- a. An officer is authorized up to 21 days of non-chargeable leave in a calendar year for the purpose of adopting a child.
- b. In the event that two Corps officers who are married to each other adopt a child, only one such officer shall be allowed adoption leave.



- c. Adoption leave is not authorized when the child already lives with the parent(s), such as in a foster child adoption or when one parent is the natural parent and the other is a stepparent.

6-8. Paternity Leave.

- a. Paternity Leave is only authorized for a married Corps officer on extended active duty, whose wife gives birth after the date of this Instruction.
- b. Paternity Leave is a non-chargeable leave not to exceed 10 consecutive days (See Section 8-7).

6-9. Consecutive Overseas Tour (COT) Leave entitlement.

- a. A COT leave entitlement is authorized when an officer transfers from one overseas station to another, or agrees to accept a consecutive tour at the same duty location. The transfer may be within the same overseas location. COT leave is chargeable annual leave.
- b. Officers and their eligible dependents, if any, are entitled to the travel and transportation allowances authorized for COT leave travel between authorized locations. The officer and dependent may travel together or independently.
- c. An eligible officer is one stationed Outside of the Continental United States (OCONUS), for more than one year, who is ordered to:
  - (1) Consecutive tours of duty at the old permanent duty station; or
  - (2) A PCS between OCONUS duty stations.
- d. An eligible dependent is one who:
  - (1) Is a dependent on
    - (a) The last day of the member's first tour at the old OCONUS; or
    - (b) The effective date of the member's new OCONUS station;
  - (2) Is sponsored for both tours;
  - (3) Is located at or in the vicinity of the member's old OCONUS station; and
  - (4) Accompanies the officer during both tours.
- e. Authorized locations. Travel between authorized locations is travel:
  - (1) From the duty station to the officer's home of record (HOR), and
  - (2) From the old to the new OCONUS station via an authorized destination

An authorized destination is the officer's HOR or a place no farther distant. In addition the SG or his/her designee, may authorize/approve any other destination in accordance with the JFTR. If authorized, the officer may be responsible for

any additional charges, fees or other expenses in relation to travel beyond HOR, in accordance with the JFTR.

- f. COT leave travel should occur between the OCONUS tours, in conjunction with PCS travel, if any. A member and/or dependent(s) traversing in CONUS incident to a PCS may perform COT leave travel after PCS travel only if separate COT leave travel is authorized/approved in accordance with JFTR regulations.
- g. The COT entitlement will expire if not used prior to PCS unless the member is unable to travel before completing the new tour of duty in connection with contingency operations. If the officer traverses the United States for leave, travel time, or temporary duty, the COT leave may not be deferred without prior approval from the SG or his/her designee.
- h. An officer directed to use Government or Government-procured transportation for COT leave travel but procures other transportation, at personal expense, shall not be reimbursed for such expense.
- i. OPDIVs, STAFFDIVs and non-HHS organizations to which officers are assigned overseas are encouraged to give officers an opportunity to take one leave period of 14 consecutive days each fiscal year. However, there is an accepted allowance of up to 30 consecutive days should the OPDIV, STAFFDIV or non-HHS organization mission requirements allow such flexibility.

6-10. Rest and Recuperation (R&R) Leave.

- a. The R&R Leave Program in the U.S. Central Command (USCENTCOM) Area of Operations is to provide the opportunity for service members who are deployed in combat theater for 1 year to take up to 15 days of chargeable annual leave during their deployment.
  - (1) Area of Operations (AOO) are defined as any operations in the country(ies) of Afghanistan, Bahrain, Djibouti, Iraq, Jordan, Kuwait, Kyrgyzstan, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Syria, Tajikistan, Uzbekistan, United Arab Emirates, and Yemen (all such countries are as of the date of this CCI).
  - (2) R&R Leave may not be taken in any of the countries listed in Section 6-10.a.(1).
- b. R&R leave is charged to the normal annual leave account; however, the Government pays for transportation to and from the leave destination. Leave does not start until the day after arrival at leave destination. Leave ends the day before travel begins to return to the theater of operations.
- c. R&R leave periods are limited to one per 12-month period for service members who are deployed in a combat theater on an unaccompanied tour, and provide respite from hostile fire and imminent danger areas.
- d. Officers who are participating in operations in countries listed in Section 6-10.a.(1) must be serving in an area specifically designated by the Department of Defense as an area authorized to receive Imminent Danger and Hazardous Duty Pay.

- 6-11. Environmental and Morale Leave (EML).
- a. EML is authorized at an OCONUS duty station where adverse environmental conditions require special arrangements for leave in desirable places at periodic intervals. Authorized member must be in an OCONUS duty station for a minimum of 24 months.
  - b. Funded EML is charged as annual leave, but members are authorized to use DoD-owned or -controlled aircraft; plus, travel time to and from the EML destination. Travel time is not charged as leave.
  - c. Unfunded EML is also charged as annual leave, but members are authorized space-available air transportation from the duty locations. Travel time to and from the leave destination is charged as leave.
- 6-12. Leave Without Pay (LWOP).
- a. In accordance with [42 U.S.C. 215](#)(b) or (c), an officer may be placed in a LWOP status only when detailed to a State or political subdivision when such detail is related to the functions of the Corps or to a nonprofit educational, research, or other institution engaged in health activities or conducting programs, studies, research, and activities relating to public health or of significance to the functions of the Corps.
  - b. Included under 42 U.S.C. 215(c) are details to Congressional committees for special studies of scientific problems and for dissemination of information relating to public health. For policies and procedures governing the detail of officers, see [CC23.5.5](#), "State and Nonprofit Institution Details," [CC23.5.6](#), "Faculty Position Details," [CC23.5.7](#), "Congressional Committee Details," and [CC23.5.8](#), "Federal Agency Details."
- 6-13. Emergency Leave.
- a. Emergency leave is chargeable annual leave granted for personal or family emergencies involving the immediate family.  
  
Note: Immediate family is defined as the officer's or spouse's parents, stepparents, grandparents, siblings, children and spouse.
  - b. In emergency situations, if the officer's immediate supervisor is not his/her normal leave granting authority, the supervisor may grant the emergency leave request.
  - c. Normally, verification by the American Red Cross (ARC) or the host country's equivalent agency is not necessary. However, when the leave granting authority has reason to doubt the validity of an emergency situation, he or she may request assistance from the military service nearest the location of the emergency or, when necessary, from the ARC.
  - d. The initial period is usually for no more than 30 days unless the officer has a negative leave balance in which case the leave granting authority may consider only that which is absolutely necessary to take care of the emergency situation.
  - e. If an officer is assigned overseas, the military will usually arrange (free) transportation to and from the nearest CONUS port. Further transportation is at

the officer's expense (although the ARC can generally grant loans in emergency leave situations).

- f. The officer may not request emergency leave for reasons such as normal pregnancy of a spouse, care of children during the spouse's illness, or resolution of marital or financial problems. However, the member may request annual leave. Emergency leave is normally authorized in the following situations:
    - (1) The officer's presence contributes to the welfare of a dying member of his or her immediate family or spouse's family.
    - (2) There has been a verified death in the officer's immediate family or the spouse's immediate family.
    - (3) There has been an injury, major surgery, or serious illness in the member's immediate family or the spouse's immediate family resulting in a serious problem only the officer can resolve.
    - (4) A natural disaster such as a flood, hurricane, or tornado occurred that affected the member personally.
  - g. Emergency leave travel at Government expense is authorized in accordance with the JFTR. Authorized transportation expenses are chargeable to the appropriated funds that support the TDY travel of the officer's assigned unit. However, emergency leave shall not be denied solely because of lack of funds for authorized funded emergency leave travel, nor shall emergency leave be granted for the purpose of either increasing the officer's travel priority or to offset personal travel costs. Corps officers who are not authorized emergency leave travel under the JFTR provisions may be authorized travel on Government owned or controlled aircraft.
- 6-14. Emergency Leave of Absence. The ASH may grant an officer a non-chargeable emergency leave of absence for a qualifying emergency, with the following limitations:
- a. The qualifying emergency is verified to the ASH's satisfaction based upon information or opinion from a source in addition to the officer that the ASH considers to be objective and reliable and the qualifying emergency is due to:
    - (1) A medical condition of a member of the immediate family of the officer; or
    - (2) Any other hardship that the ASH determines appropriate.
  - b. Such emergency leave of absence may be granted only once during an entire career for any officer.
  - c. Such emergency leave of absence may be granted only to prevent the officer from entering excess leave status that could result in recoupment of any pay and allowance.
  - d. Such emergency leave of absence may not extend for a period of more than 14 days.
- 6-15. Absent Without Leave (AWOL).

- a. An officer will be considered AWOL when absent from his/her designated place of duty, unless the period of absence is properly authorized or approved by his/her leave granting authority.
- b. Policies and procedures pertaining to AWOL are set forth in [CC29.1.5](#), "Absence Without Leave."

## 7. RESPONSIBILITIES:

- 7-1. Officers must be present and ready for duty when and where they are ordered or required to be. An officer is responsible to receive approved leave from his/her leave granting authority while absent from his/her assigned place of duty.
- 7-2. An officer who is unable to return to his/her assigned place of duty beyond his/her control will immediately, or as soon as prudently possible, notify his/her supervisor of the absence and the relevant circumstances.
- 7-3. Authority to grant leave shall be afforded to the SG, with authorization for further delegation to OPDIV/STAFDIV Heads or non-HHS organizations to which Corps officers are assigned based on the Memorandum of Agreement, with further delegation authorization to an individual officer's supervisor or leave granting authority.
- 7-3. An officer's supervisor(s) or leave granting authority must ensure that officers under their supervision are aware of when and where the officer is responsible/required to be present for duty. Additionally, the supervisor or leave granting authority must be cognizant of how to contact an officer on any type of leave, should an emergency arise and recall is necessary.
- 7-4. The leave granting authority uses his/her judgment of the program needs in order to approve or revoke annual, station, sick or administrative leave.

## 8. PROCEDURES:

- 8-1. Annual Leave. Specific procedures pertaining to annual leave are stated in [CC29.1.2](#), "Annual Leave."
- 8-2. Sick Leave. Specific procedures pertaining to sick leave are stated in [CC29.1.4](#), "Sick Leave."
- 8-3. Station Leave. If an officer desires to take station leave during regularly scheduled working hours or on a non-workday during which he/she is scheduled to perform a brief period of work, approval of the leave granting authority must be obtained in advance. Normally, only oral approval is required, but the leave granting authority may require that advance approval be obtained in writing. Such request may be made on [Form PHS-1345](#), "Request and Authority for Leave of Absence."
- 8-4. Administrative Leave (See Section 6-5). An officer must have the written approval ([Form PHS-1345](#)) from the leave granting authority for administrative leave whether or not he/she is traveling away from his/her duty station. This will eliminate any question concerning the officer's status in the event of illness, injury, or death, whether or not the officer is away from his/her official duty station.
- 8-5. Court Leave (See Section 6-6). Court leave shall be granted only when an officer has been summoned by an official request, invitation, or call from the court of authority responsible for the conduct of the proceeding. Court leave is not authorized for voluntary appearances for court proceedings. Upon return to duty, the officer must submit to the

leave granting authority written evidence of court attendance, such as a marshal's statement. The proof of attendance should show the dates served and should be retained by the officer's leave maintenance clerk.

- 8-6. Adoption Leave (See Section 6-7). An officer must adopt a child through a qualifying child adoption agency to be entitled to adoption leave. A supervisor may request point of contact information with the adoption agency/service should a question of legitimacy of leave request exist. Whether an adoption agency is qualified, is determined by the definition at [10 USC 1052 \(g\)\(3\)](#). Corps personnel are entitled to reimbursement of adoption expenses, per [CC22.1.6](#) "Reimbursement of Adoption Expenses," dated 15 May 1998. Adoption leave may be used in conjunction with annual leave. The 21 days of non-chargeable leave may be split into multiple periods (e.g., in concert with legal proceedings/activities), but must be used within 21 days of the adopted child's arrival in the officer's home. Holidays, weekends or other non-duty days are included in this calculation.
- 8-7. Paternity Leave (See Section 6-8) cannot be applied to unmarried officers fathering a child out of wedlock. Paternity leave must be taken consecutively and within 45 days after the birth of the child and may be used in conjunction with annual leave.
- a. This authorized leave is applicable to the birth of a child, to include those that result in multiple births (e.g., twins, triplets, etc.).
  - b. Officers deployed overseas have 60 days after returning from deployment to utilize the 10 days of paternity leave.
  - c. If the leave is not used within the established time frames, the leave is lost.
  - d. The 10 days of non-chargeable leave is to run consecutively from start to finish; splitting of days is not permitted. Holidays, weekends or other non-duty days are included in this calculation.
- 8-8. The officer should request COT Leave (See Section 6-9) to occur from the end of the first tour prior to the start of the second tour. If duty requirements dictate, the COT Leave start time may be deferred to a later date. COT Leave is an entitlement that may be automatically forfeited if not utilized before the end of the first year of the second tour. Holidays, weekends or other non-duty days are included in this leave period.
- 8-9. R&R Leave (See Section 6-10). Prior to requesting and commencing R&R Leave, officers must undergo an assessment and briefing by the supervisor, and receive medical and suicide prevention briefings, a reunion briefing (a different one for single and married officers), and tip cards are issued. When officers return to theater, he/she will receive a reintegration briefing by the supervisor, who determines if follow-up referrals are needed. If traveling to a foreign country, an officer must learn and comply with passport, visa, and medical requirements well in advance. Briefing and debriefing requirements will be set by the OPDIV, STAFFDIV or non-HHS organization to which the officer is assigned or detailed.
- 8-10. Procedures and additional qualifications for COT leave entitlement, R&R leave and EML shall be in accordance with applicable JFTR stipulations.
- 8-11. Emergency Leave (See Section 6-13). Officer's shall notify their immediate supervisor or leave granting authority as soon as possible before embarking on emergency leave.
- a. If the officer does not have a pre-authorized leave slip, he/she shall complete one upon return from emergency leave.

- b. If the officer needs an extension while on emergency leave, he or she must contact his/her leave granting authority for approval.
  - c. Supervisors or leave granting authorities may advise officers to apply for a humanitarian or exceptional family member reassignment or hardship discharge, if the leave period is more than 60 days.
  - d. Officer's should be prepared, if required by their supervisor or leave granting authority, to show proof of reason for emergency leave (e.g., obituary, letter from attending medical provider, or other appropriate means deemed by his or her supervisor or leave granting authority).
9. HISTORY: This is the first issuance of this Instruction within the electronic CCIS and replaces CC29.1.1, "Leave of Absence; General," dated 8 August 1985.
- 9-1. Clarification for Recall from Leave
  - 9-2. Clarification of Station Leave
  - 9-3. Clarification and expansion of Administrative Leave
  - 9-4. Clarification of Court Leave
  - 9-5. Addition of Adoption Leave
  - 9-6. Addition of Paternity Leave
  - 9-7. Addition of Consecutive Overseas Tour Leave
  - 9-8. Addition of Rest and Recuperation Leave
  - 9-9. Addition of Environmental and Morale Leave
  - 9-10. Clarification of Leave Without Pay status
  - 9-11. Addition of Emergency Leave and Emergency Leave of Absence