



CCD 127.01
EFFECTIVE DATE: 23 December 2024

By Order of the Secretary of Health and Human Services:

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SUBJECT: Leave

1. PURPOSE: The regulations set forth in this Directive prescribe the requirements for granting leave for USPHS Commissioned Corps officers.
2. APPLICABILITY: This Directive applies to all officers of the Regular Corps and Ready Reserve Corps, as authorized, of the USPHS Commissioned Corps.
3. AUTHORITY:
 - 3-1. [42 U.S.C. § 216](#), "Regulations."
 - 3-2. [42 U.S.C. § 210-1](#), "Annual and sick leave."
 - 3-3. [Public Law 117-328](#), "Consolidated Appropriations Act, 2023"
 - 3-4. [Executive Order 11140](#), "Delegating certain functions of the President relating to the Public Health Service," dated 30 January 1964.
4. PROPONENT: The proponent of this Directive is the Secretary of the Department of Health and Human Services.
5. SUMMARY OF REVISIONS AND UPDATES: This is the third issuance of this Directive in the electronic Commissioned Corps Issuance System (eCCIS) and replaces Commissioned Corps Directive (CCD) 127.01, "Annual, Sick, and Station Leave," dated 7 August 2023. This update:
 - 5-1. Authorizes up to 12 weeks of parental leave for officers in connection with the birth of a child, adoption (including surrogacy) of a minor child, or the placement of a minor child for long-term foster care.
 - 5-2. Authorizes the Assistant Secretary for Health (ASH) to issue policy Instructions for other chargeable and non-chargeable leave types that include, but are not limited to Court Leave, Emergency Leave of Absence, Administrative, consecutive overseas tours, rest and recuperation following a deployment, and adverse environmental conditions for officers stationed Outside of the Continental United States (OCONUS).

6. POLICY:

6-1. Meaning of Terms. For the purpose of computing and granting leave pursuant to this Directive:

- a. A “year” or “leave year” means a fiscal year (FY).
- b. “Annual leave” means any period of one workday or more during which an officer is relieved from their scheduled working hours, other than for sick or other approved leave, and all non-work days within such period.
- c. A “work day” means a day on which an officer is scheduled to perform more than brief periods of work, including a day when an officer is scheduled to serve as officer of the day, to be on call, or to perform official travel.
- d. A “non-work day” means a day designated by an officer in charge on which an officer has no scheduled working hours, including a day on which an officer is ordinarily scheduled to perform only brief periods of work, such as ward rounds in a hospital.
- e. “Off-work hours” means the period between the normal completion and commencement of scheduled working hours on two consecutive work days.
- f. “Station leave” means authorized absence from duty and station on non-work days, off-work hours, or for a period of less than one work day.
- g. “Sick leave” means any period of one day or more with respect to which an officer is excused from duty because of sickness, disability, or need of medical services.
- h. “Maternity convalescence” means a period of authorized absence for an officer who gives birth for the purpose of recovering from that birth.

6-2. Annual Leave.

- a. Accrual and Accumulation of Annual Leave. An officer shall accrue annual leave at the rate of 30 days for each full year of active service with the Service, and for any portion of a year at the rate of 2½ days for each month of such service.
 - (1) No annual leave will accrue:
 - (a) During any period that a member of the Ready Reserve Corps serves on active duty for less than 30 continuous days or for any period during which the member serves on inactive duty.
 - (b) During any period in which an officer is placed on leave without pay while detailed pursuant to 42 U.S.C. § 215(b) or (c); or
 - (c) During any period of absence without leave.
 - (2) Annual leave accrued during a leave year, but unused at the end of such year, will be carried forward as accumulated leave for use in succeeding leave years, except that accumulated leave credited to an officer at the beginning of a new leave year in excess of 60 days will be canceled. However, an officer may carry over accumulated annual leave in excess of 60 days in the following circumstances:

- (a) Accumulated Leave in Excess of 60 Days due to Covid-19 Response. Officers who have accumulated annual leave in excess of 60 days at the beginning of a new leave year will carry that leave forward as accumulated leave for use in succeeding leave years, except that any leave in excess of 120 days will be canceled at the beginning of the new leave year (i.e., 1 October 2023 and 1 October 2024). However, annual leave in excess of 60 days will be cancelled at the beginning of the 2026 leave year (i.e., 1 October 2025) and subsequent leave years.
- (b) Accumulated Leave in Excess of 60 Days On or After 1 October 2025. The ASH may authorize officers who have annual leave in excess of 60 days at the end of a leave year to carry forward leave as accumulated leave for use in the new leave year as follows:
- (i) 75-Day Special Leave Accumulation. The ASH may authorize officers who have annual leave in excess of 60 days at the end of a leave year, to carry forward up to 15 days of such excess leave as accumulated leave for use in the new leave year if the officer is unable to use that leave due to an unanticipated deployment that the ASH determines warrants such excess leave. This carryover annual leave in excess of 60 days will be cancelled at the end of the leave year that the ASH approved the leave to be carried into unless the ASH approves another special leave accumulation in the succeeding leave year for that officer.
 - (ii) 90-Day Special Leave Accumulation. The ASH may authorize officers who have annual leave in excess of 60 days at the end of a leave year, to carry forward up to 30 days of such leave as accumulated leave for use in the new leave year if the officer goes on deployment that prevents them from going on leave for at least the last three months of a leave year. This carryover annual leave in excess of 60 days will be cancelled at the end of the leave year that the ASH approved the leave to be carried into unless the ASH approves another special leave accumulation in the succeeding leave year for that officer.
 - (iii) 120-Day Special Leave Accumulation. The ASH may authorize officers who have annual leave in excess of 60 days at the end of a leave year, to carry forward up to 60 days of such leave as accumulated leave for use in the new leave year in cases of militarization of the USPHS Commissioned Corps or officers' deployment in response to urgent or emergency public health care needs (as declared by the President or the Secretary). An officer must use this annual leave in excess of 60 days before the end of the second leave year after the end of the leave year in which the militarization of the USPHS Commissioned Corps or the urgent or emergency public health care need is terminated, unless the ASH approves

another special leave accumulation in the succeeding leave year for that officer.

- b. Granting of Annual Leave. Within the limitations prescribed in Section 6-2.a., the USPHS Commissioned Corps may grant annual leave with pay to an officer. Annual leave not exceeding 30 days may be granted as provided herein as an advance of leave not yet accrued or accumulated. A period of absence from duty shall be considered as annual leave only if authorized in advance or if the absence and the reasons therefor are reported as promptly as circumstances permit and the absence is excused by the Surgeon General. Such reasons may include, but are not limited to consecutive overseas tours, rest and recuperation following a deployment, adverse environmental conditions for officers stationed Outside of the Continental United States (OCONUS), or emergencies.
- c. Computation of Annual Leave. The number of days of annual leave taken shall be computed by counting each work day during the period of leave and all non-work days within such period, but excluding any period of station leave immediately preceding or immediately following such leave, except that in the case of annual leave taken immediately preceding the expiration, termination, or inactivation of a commission, or retirement, each day, following the day on which an officer is released from his assigned station, shall be counted as a day of leave.
- d. Station Leave. During off-work hours and on non-work days, during which an officer has no scheduled working hours he shall be entitled to station leave unless the officer in charge otherwise directs. If an officer desires to take station leave for a period of less than one work day or on a non-work day during which he is scheduled to perform only a brief period of work, he must obtain the oral permission of the officer in charge. Station leave shall not be charged as annual leave.

6-3. Sick Leave.

- a. Granting of Sick Leave. Sick leave may be granted when the officer is in need of medical services or is incapacitated for the performance of duties by sickness, injury, pregnancy and confinement, or maternity convalescence (see Section 6-1.h.). The leave granting authority or other responsible official may require a medical certificate for every period of sick leave in excess of 3 days, or for a lesser period when determined necessary. A medical certificate shall also be furnished promptly to the Surgeon General, or designee, at the end of each period of 30 days of continuous absence from duty because of sickness or injury.
- b. Prolonged or Frequent Absence Due to Sickness or Disability; Review of Status. An officer's absence from duty because of sickness or disability for a period of more than 90 consecutive days or for an aggregate of more than 120 days in a consecutive 12-month period shall be reported to the Surgeon General, or designee, who shall appoint a board to consider whether such officer should be medically separated or retired.

6-4. Parental Leave. Consistent with Department of Defense policy and Instructions issued by the ASH, officers of the USPHS Commissioned Corps are authorized up to 12 weeks of non-chargeable parental leave in relation to: the birth of an officer's child, the adoption (to include surrogacy) of a minor child by an officer, or the placement of a minor child with the officer for adoption or long-term foster care.

6-5. Administrative Leave of Absence. In accordance with policy established by the ASH, officers may be authorized non-chargeable administrative leave for absences which are in the interest of the USPHS Commissioned Corps as well as the officer.

- 6-6. Court Leave. Officers may be authorized non-chargeable 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.
- 6-7. Emergency Leave of Absence. In accordance with policy established by the ASH, officers may be authorized up to 14 days of non-chargeable leave for a qualifying emergency (as determined by the ASH), with the following limitations:
- a. Such leave may be granted only once in an officer's career;
 - b. Such leave may be granted only to prevent an officer from entering excess leave status (i.e., the officer must have no remaining annual leave); and
 - c. Such leave is limited to 14 days.
- 6-8. Reporting of Whereabouts During a Period of Leave. During any period of leave an officer shall be considered to be in an active duty status and shall be subject to all regulations governing commissioned officers, including those relating to discipline. During all such periods of leave, an officer shall keep the officer in charge informed as to the place or places at which the officer may be located and shall be subject to recall to duty at any time.
- 6-9. The ASH, without further delegation, may authorize other chargeable and non-chargeable leave types (in addition to those authorized in this Directive) that are necessary for the administration of the USPHS Commissioned Corps, provided that such leave types align with leave types available to members of the Armed Forces.
7. RESPONSIBILITIES: This Directive delegates to the ASH the authority to issue additional policy Instructions on the applicability and use of the leave types outlined in this Directive. The ASH may also make delegations as necessary to implement this Directive.
8. HISTORICAL NOTES: This is the third issuance of this Directive within the eCCIS.
- 8-1. CCD 127.01, "Annual, Sick, and Station Leave," dated 7 August 2023
 - 8-2. CCD 127.01, "Annual, Sick, and Station Leave," dated 27 March 2015.
 - 8-3. Commissioned Corps Personnel Manual (CCPM) CC49.1.1, "Annual, Sick, and Station Leave," dated 25 October 1979.