



CCI 361.01
EFFECTIVE DATE: 14 January 2025

By Order of the Assistant Secretary for Health:

ADM Rachel L. Levine, M.D.

SUBJECT: Leave of Absence; General

1. PURPOSE: This Instruction defines the types of leave granted to officers in the U.S. Public Health Service (USPHS) Commissioned Corps.
2. APPLICABILITY: This Instruction applies to officers of the Regular Corps and the Ready Reserve Corps.
3. AUTHORITY:
 - 3-1. [42 USC § 210-1](#), "Annual and Sick Leave"
 - 3-2. [42 U.S.C. § 216](#), "Regulations"
 - 3-3. Commissioned Corps Directive (CCD) [127.01](#), "Leave"
 - 3-4. [CCD 123.01](#), "Involuntary Separation"
 - 3-5. [CCD 111.02](#), "Disciplinary Action"
 - 3-6. Joint Federal Travel Regulations (JFTR), as amended.
4. PROponent: The proponent of this Instruction is the Assistant Secretary for Health (ASH). The Surgeon General (SG) provides supervision of activities relating to the day-to-day operations of the USPHS Commissioned Corps. The Director, Commissioned Corps Headquarters (CCHQ), under the supervision and guidance of the Deputy Surgeon General (DSG), provides overall management of USPHS Commissioned Corps personnel operations and processes.
5. SUMMARY OF REVISIONS AND UPDATES: This is the second issuance of this Instruction within the electronic Commissioned Corps Issuance System (CCIS) and replaces CCI 361.01, "Leave of Absence; General," dated 16 February 2012. Substantive changes include:
 - 5-1. Adding parental leave.
 - 5-2. Removing paternity leave and adoption leave.

- 5-3. Renaming the “leave granting authority” as the Leave Authorizing Officer (LAO) throughout this Instruction.
- 5-4. Incorporating new USPHS Commissioned Corps branding language throughout the Instruction.

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. Public Health Service (PHS) officers are subject to call to duty 24 hours each day, every day of the year. Therefore, PHS 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, and Commissioned Corps Instruction (CCI) [311.06](#), "Religious Accommodations, dated 22 January 2022, 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 Section 6-14.).
- c. Except in cases of emergency, all leave taken by a PHS officer must be approved in advance by the officer's Leave Authorizing Officer (LAO).
- d. An officer is subject to recall to duty at any time from leave and is required to keep their LAO informed of their 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 the place they 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 they 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:
 - (I) A substantial portion of the scheduled leave period has been eliminated by the recall, or
 - (II) 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 them 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 affected. 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 PHS officer and/or their family have been personally affected by natural disasters or emergencies.
 - (4) For attendance at spiritual events or for other religious observances (see [CCI 311.06](#), "Religious Accommodations").
 - (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 their 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 USPHS Commissioned 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 USPHS Commissioned Corps (see [CCI 362.01](#), "Annual Leave").
- c. Specific instructions or guidance pertaining to annual leave are stated in [CCI 362.01](#), "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 their 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 convalescent leave).
- b. The officer's LAO may require an officer to remain in the vicinity of their duty station while the officer is on approved sick leave.
- c. Specific policies and procedures related to sick leave are outline in [CCI 363.01](#), "Sick Leave."
- f. There is no accrual of sick leave under the USPHS Commissioned Corps' leave system; however, sick leave is not without limits.
- g. An officer on annual leave who becomes ill and/or requests sick leave while on annual leave may have their 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 [CCI 362.01](#), "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 their LAO. 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 LAO 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 USPHS Commissioned 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 LAO.
- d. Pursuant to the Standards of Conduct pertaining to PHS 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 of Absence.

- 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 USPHS Commissioned Corps as well as the officer, as determined by the LAO. 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 USPHS Commissioned 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 (sees [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 their old duty station, for the purpose of arranging the movement of their 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 their household goods and establishing their 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.
 - (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 their separation from active duty, including retirement.
- b. Except as provided in Section 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 Section 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 USPHS Commissioned 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 authorized court leave, but is in an official duty status for the time involved.
- b. Officers will not be authorized court leave for 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.
- c. An officer must take annual leave if they are a witness when court leave is not authorized.
- d. An officer may be authorized 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. Parental Leave

- a. This Instruction authorizes officers up to 12 weeks of non-chargeable parental leave starting on the occasion of: the birth of an officer's child, the adoption (to include obtaining legal parentage via surrogacy) of a minor (i.e., under 18 years old) child by an officer, or the placement of a minor child with an officer for adoption or long-term foster care (for the purposes of this Instruction, each will be considered a "qualifying event").
- b. Officers must use their authorized parental leave within one year of their qualifying event, as outlined in this Section.
- c. Parental Leave for Birth. An officer, whether the birth parent (i.e., the parent who gives birth) or the non-birth parent, will be authorized parental leave for the birth of their child and to care for the child.

- (1) For the birth parent, 12 weeks of parental leave will be authorized following any authorized sick leave for recovery from childbirth (see CCI 363.01, "Sick Leave"). However, the birth parent must still use the parental leave within one year after the qualifying event (i.e., the date of the child's birth).
 - (2) For the non-birth parent, the 12 weeks of parental leave may begin the day of the birth of the child. If the child's parents are not married, the non-birth parent must provide any documentation necessary to establish their parentage, as determined by CCHQ.
 - (3) An officer who places their child for adoption or has their parental rights terminated by consent or court order is not eligible for parental leave. However, an officer who gives birth may be authorized sick leave for recovery from childbirth (see CCI 363.01, "Sick Leave") even if they surrender or lose parental rights.
- d. Parental Leave for Adoption or Surrogacy.
- (1) An officer will be authorized 12 weeks of parental leave beginning the day of the date of adoption (or placement for adoption) of a minor child or, for an officer who has a child via surrogacy, the date the officer becomes the legal parent of the newborn child.
 - (2) An officer is not authorized an additional 12 weeks of parental leave for the adoption of a child if the officer previously received parental leave for any circumstance involving the same minor child.
- e. Parental Leave for Long-term Foster Care Placement.
- (1) An officer will be authorized 12 weeks of parental leave beginning the date of placement of a minor child with the officer for long-term foster care.
 - (2) An officer is not authorized an additional 12 weeks of parental leave when the placement of a minor child with the member for long-term foster care is converted to a placement for adoption or finalized as an adoption by the officer for a child already residing with the officer.
- f. Multiple Qualifying Events.
- (1) Multiple qualifying events occurring within the same 72-hour period will be treated as a single event when determining the allocation of parental leave.
 - (2) Multiple qualifying events that do not occur within the same 72-hour period will be treated as separate events for the allocation of parental leave.
 - (3) In cases of separate qualifying events, the USPHS Commissioned Corps will count any remaining previously granted days of parental leave, as part of both parental leaves (i.e., if an officer has unused parental leave from a qualifying event and subsequently has another qualifying event, any parental leave that the officer takes from that point forward will count against the parental leave authorized for both qualifying events).

- g. Incremental Periods of Parental Leave. Parental leave may be authorized in one or more increments (i.e., non-consecutively) consistent with the needs of the officer's OPDIV/STAFFDIV/non-HHS organization.
- (1) Officers who wish to use their parental leave in more than one increment must request such proposed leave in one week blocks of seven days (i.e. 7 days, 14 days, 21 days, etc.). An officer must submit such requests to their supervisor or LAO for approval/disapproval
 - (2) Officers and supervisors or LAOs should communicate to ensure that requested periods of incremental parental leave can be approved with minimal impact on the operations of the OPDIV/STAFFDIV/non-HHS organization to which the officer is assigned. If the supervisor or LAO does not approve taking incremental parental leave, they must allow the officer to take the full 12 weeks of parental leave in one continuous period.
 - (3) An officer with unused parental leave after a year from the qualifying event will forfeit their unused days.
- h. Combining Leave Types. Officers may take other leave types (i.e., annual leave, court leave, etc.) in between increments of parental leave or consecutively with parental leave. No particular order or sequence of such leave is required.
- (1) During a period of approved parental leave, an officer who gets sick or becomes injured (to the extent that sick leave is authorized) can request for such days be changed from parental leave to sick leave, as appropriate. An officer must provide CCHQ with supporting documentation from their health care provider to change such a period of parental leave to sick leave.
 - (2) Even if such a change from parental leave to sick leave occurs, officers must continue to request parental leave in one-week increments. Any remaining leave that is less than one week may be requested in one full increment.
- i. Deferral of Parental Leave Due to Deployment.
- (1) If a qualifying event for parental leave occurs while an officer is deployed by CCHQ in accordance with [CCD 121.02](#), "Deployment and Readiness", the officer must defer their parental leave until their deployment is completed.
 - (2) Deployed members who must defer their parental leave may be authorized an extension of the one-year period in accordance with Section 6-7.k. of this Instruction.
- j. Unused Parental Leave.
- (1) Any unused parental leave remaining at the time of separation from active duty will be forfeited without any reimbursement.
 - (2) Except in cases outlined in Section 6-7.k. of this Instruction, parental leave not taken within one year from the qualifying event will be forfeited.
 - (3) If the placement of a minor child with an officer for adoption or long-term foster care is terminated, any amount of parental leave remaining unused

on the date of such termination will be forfeited. If the termination of foster care is due to adoption of the minor child by the officer, the officer retains any unused parental leave originally granted for the foster placement for the remainder of the initial one-year period.

- k. Extension of Parental Leave Period. The Director, CCHQ, may authorize an officer to take parental leave after a year from their qualifying event under the following conditions:
- (1) The officer's deployment by the Secretary in response to an urgent or emergency public health care need for a period of 90 or more consecutive days within the one-year period;
 - (2) The officer's attendance at a long-term training (as defined by CCI 325.01, "Extramural and Intramural Training and Obligation") that requires the officer to be away from the child for a period of 90 or more consecutive days within the one-year period;
 - (3) The officer is hospitalized or in an in-patient status for 90 or more consecutive days within the one-year period; or
 - (4) Other extraordinary extenuating circumstances, as determined by the ASH on a case-by-case basis with supporting documentation provided by the officer, that exceed a period of 90 or more consecutive days within the one-year period.
 - (5) For each qualifying circumstance outlined in Section 6-7.k.(1)-(4) of this Instruction, the one-year period will be extended on a day-to-day basis based on the period of such circumstance.
- l. Leave Following Stillbirth or Miscarriage. Officers who experience a stillbirth or miscarriage may be authorized sick leave for recovery in accordance with [CCI 363.01](#), "Sick Leave." In such cases, the officer, regardless of whether the birth parent or non-birth parent, is not eligible for parental leave. However, in such cases the officer may be eligible for other leave types, as appropriate.
- m. Leave Following the Death of Child. Parental leave eligibility, or the parental leave, if started, terminates upon the death of the child, adopted child, or child placed for adoption or long-term foster care. However, in such cases, an officer may transition to sick leave if recommended by a health care provider in accordance with medical practice standards or to other leave types, as appropriate.
- n. Implementation of Parental Leave
- (1) Parental leave applies to any officer whose qualifying event occurred on or after 23 December 2024.
 - (2) Officers who had a qualifying event that occurred on or after 23 December 2024 are authorized a total of 12 weeks of parental leave, minus any paternity leave, adoption leave, or maternity leave (as they previously existed) already taken.
 - (3) Officers who had a qualifying event prior to 23 December 2024 are not authorized parental leave, but they may use the 10 consecutive days of paternity leave (as it existed in the previous version of this Instruction) or the 21 days of adoption leave (as it existed in the previous version of this

Instruction), or the 84 consecutive days of maternity leave (as it existed in the previous version of CCI 363.01, "Sick Leave"). However, the paternity or adoption leave must be used within one year of the qualifying event.

6-8. Consecutive Overseas Tour (COT) Leave.

- a. COT leave may be 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 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 the 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. COT leave 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 their 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.

6-9. 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 6-9.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. to provide respite from hostile fire and imminent danger areas.
- d. Officers who are participating in operations in countries listed in Section 6-9.a.(1) must be serving in an area specifically designated by the Department of Defense (DoD) as an area authorized to receive Imminent Danger and Hazardous Duty Pay.

6-10. 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.

6-11. 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 USPHS Commissioned 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 USPHS Commissioned 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 [CCD 121.04](#), "Non-Departmental Organization Details," [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."

6-12. 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 their normal LAO, 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 LAO has reason to doubt the validity of an emergency situation, the LAO 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 LAO 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. PHS officers who are not authorized emergency leave travel under the JFTR provisions may be authorized travel on Government owned or controlled aircraft.
- 6-13. 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.
- 6-14. Absent Without Leave (AWOL).
- a. An officer will be considered AWOL when absent from their designated place of duty, unless the period of absence is properly authorized or approved by their LAO.
 - 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 their LAO while absent from their assigned place of duty.

- 7-2. An officer who is unable to return to their assigned place of duty beyond their control will immediately, or as soon as prudently possible, notify their 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 PHS officers are assigned based on the Memorandum of Agreement, with further delegation authorization to an individual officer's supervisor or LAO.
 - 7-4. An officer's supervisor(s) or LAO 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 LAO must be cognizant of how to contact an officer on any type of leave, should an emergency arise and recall is necessary. The supervisor or LAO must also ensure that periods of requested leave are supported by proper documentation.
 - 7-5. The LAO must use their 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 CCI 362.01, "Annual Leave."
 - 8-2. Sick Leave. Specific procedures pertaining to sick leave are stated in CCI 363.01, "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 they are scheduled to perform a brief period of work, approval of the LAO must be obtained in advance. Normally, only oral approval is required, but the LAO 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 LAO for administrative leave whether or not they are traveling away from their 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 their 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 LAO 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. Parental Leave (see Section 6-7.). The LAO and/or the Director, CCHQ may require that an officer submit sufficient documentation, either before or after parental leave is authorized or taken. The failure to provide such documentation will result in the revocation of parental leave and the placement of the officer into the appropriate leave status (as determined by the LAO or the Director, CCHQ, as applicable).
 - 8-7. The officer should request COT Leave (see Section 6-8.) 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 will be 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.

- 8-8. R&R Leave (see Section 6-9.). 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, they 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, R&R leave and EML shall be in accordance with applicable JFTR stipulations.
- 8-11. Emergency Leave (See Section 6-12.). Officers shall notify their immediate supervisor or LAO as soon as possible before embarking on emergency leave.
 - a. If the officer does not have a pre-authorized leave slip, the officer shall complete one upon return from emergency leave.
 - b. If the officer needs an extension while on emergency leave, they must contact their LAO for approval.
 - c. Supervisors or LAOs 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. Officers must, if required by their supervisor or LAO, show proof of reason for emergency leave (e.g., obituary, letter from attending medical provider, or other appropriate means deemed by their supervisor or LAO).
- 9. HISTORY: This is the second issuance of this Instruction within the electronic CCIS.
 - 9-1. CCI 361.01, "Leave of Absence; General" dated 16 February 2012.
 - 9-2. Commissioned Corps Personnel Manual (CCPM) CC29.1.1, "Leave of Absence; General," dated 8 August 1985.