PARENTAL BEREAVEMENT LEAVE

I. PURPOSE

This notice provides instructions to employees regarding parental bereavement leave, a new type of paid leave established by the National Defense Authorization Act for Fiscal Year 2022. Effective December 27, 2021, employees are entitled to two workweeks of parental bereavement leave during any 12-month period in connection with the death of a child. For the purposes for this leave benefit, “child” means an employee’s child under the age of 18, or 18 years or older who is unable to care for themselves due to a mental or physical disability.

II. ELIGIBILITY

Individuals are eligible if they meet the definition of “employee” in 5 U.S.C. 6381 and:

1. Are covered under the Title 5 annual and sick leave provisions;
2. Are serving under permanent or term appointments. Individuals serving on temporary appointments of one year or less are not eligible;
3. Have established full-time or part-time work schedules (intermittent employees are not eligible); and
4. Have completed at least 12 months of service.

III. LEAVE ENTITLEMENT

A. Eligible employees have an entitlement for a total of two workweeks of parental bereavement leave because of the death of their qualifying child during a 12-month period.

B. A qualifying child means a biological, adopted, or foster child; a stepchild, a legal ward; or a child of a person standing in loco parentis; a qualifying child is under the age of 18, or 18 years or older and incapable of self-care, due to a mental or physical disability.

C. Employees may not receive more than two workweeks of parental bereavement leave in any 12-month period.

1. The 12-month period used for this purpose begins on the date of the death of a child (or on the date of death for multiple children on the same day) of the employee and continues for 12 months.
2. When employees lose more than one child in a 12-month period and request to use parental bereavement leave, that causes an overlapping eligibility period. Only two workweeks may be used in any 12-month eligibility period. Where two workweeks are used, and another two workweeks are requested within the same 12-month period, part or all of the subsequent period of parental bereavement leave may not be used until the initial 12-month period expires.

IV. CONVERSION TO HOURS

A. The two-workweek leave entitlement is to be converted, by the immediate supervisor, to hours based on the number of hours in the scheduled tour of duty. For example, a full-time employee would be entitled to 80 hours of parental bereavement leave.

B. Part-time employees are entitled to an equivalent number of hours in their regularly scheduled tours of duty over a biweekly pay period. For example, if the scheduled tour of duty consists of 40 hours in a biweekly period, the leave entitlement would be 40 hours.

C. If there is a change to a scheduled tour of duty before the full two work week allotment of parental bereavement leave, the remaining balance of parental bereavement leave must be recalculated based on the change in the number of average of hours in the new scheduled tour of duty. For example, if a full-time employee with an unused parental bereavement leave balance of 40 hours converts to a part-time schedule of 24 hours per week, the balance would be recalculated to be 24 hours.

V. EMPLOYEE NOTIFICATION

A. Employees are to submit their request for parental bereavement leave to their supervisors as soon as the need for leave is known and indicate whether it will be used continuously or intermittently.

B. Supervisors may request that employees provide a written self-certification or other documentation (e.g., death certificate) to verify that the request for parental bereavement leave is being used for bereavement purposes.

VI. USAGE

A. Employees are entitled to use parental bereavement leave upon request, if they meet all conditions and requirements as described in this notice, during their regularly scheduled work hours.

B. Parental bereavement leave is a stand-alone paid leave entitlement that is used separately from other leave or time off that employees might otherwise use. It does not affect the accrual or balances of other paid leave or paid time off.

C. Parental bereavement leave must be used continuously unless there is a mutual agreement between the supervisor and employee to allow intermittent use.

D. Employees may request parental bereavement leave retroactively to December 27, 2021.

E. Holidays and other non-workdays occurring during a period of parental bereavement leave are excluded from the entitlement.

F. Employees who receive parental bereavement leave will receive night pay within their regularly scheduled tours of duty without regard to the eight-hour rule.
NOTE: The eight-hour rule states that employees who use eight or more hours of leave in a pay period in which night work is scheduled do not receive night pay for that pay period.

G. Employees with unused parental bereavement leave at the time of transfer to another Federal agency will keep the unused hours so long as they are still within the 12-month eligibility period.

H. Unused parental bereavement leave upon separation from Federal service is forfeited unless the employee is reappointed to a qualifying position within the 12-month eligibility period.

I. Unused hours of parental bereavement leave at the time of separation or transfer are not paid out in a lump sum at any time.

J. Parental bereavement leave used does not affect service credit for retirement computations.

VII. CODING TIMESHEETS

A. The National Finance Center will establish a transaction code which should be available by the end of 2022.

B. Employees are to code their timesheets using TC-66 Administrative Leave/Excused Absence, or 66 Administrative Leave/Excused Absence w/Night Differential if they are regularly scheduled for night work between 6:00 p.m. and 6:00 a.m.

C. Parental bereavement leave may be used in increments no smaller than 15 minutes.

VIII. QUESTIONS

For questions regarding parental bereavement leave, please contact the Human Capital Planning and Accountability Branch, HR Business Systems Division, Office of Human Resources at FSISHR1@usda.gov with the subject “Parental Bereavement Leave” or call 877-FSIS-HR1 (877-374-7471) and select option 4.

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