

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS NOTICE

04-19

2/27/19

LEAVE POLICIES REGARDING LEAVE APPROVAL RELATED TO CHILDBIRTH, ADOPTION, FOSTER CARE, AND SERIOUS MEDICAL CONDITIONS

I. PURPOSE

FSIS is reissuing this notice to remind supervisors and employees about the policies related to leave requested in conjunction with childbirth, adoption, foster care, and serious medical conditions.

II. PROVISIONS

A. Supervisors are to approve the maximum amount of leave permitted by law when employees request leave related to qualifying, serious medical situations, childbirth, adoption, and foster care. Serious illnesses and medical conditions include conditions such as cancer, heart attacks, strokes, severe injuries, Alzheimer's disease, pregnancy, or childbirth. The term *serious health condition* is not intended to cover short-term conditions for which treatment and recovery are brief, which would typically involve an absence of three days or less. The common cold, influenza, earaches, upset stomach, headaches (other than migraines), or routine dental or orthodontia problems are not serious health conditions unless complications arise.

B. Approving Sick Leave: At the request of an employee, a supervisor is to approve the maximum amount of sick leave allowable (which would include an employee's accrued sick leave and up to 240 hours of advanced sick leave), in connection with the birth or adoption of a child, as well as for other sick leave eligible uses (i.e., serious illness or medical condition of the employee; serious illness or medical condition of a family member who requires the employee's assistance).

C. Approving Annual Leave: At the request of an employee, a supervisor is to approve the maximum amount of annual leave allowable (i.e., the amount the employee has accrued and is eligible to earn by the end of the leave year) in connection with the birth or adoption of a child, other sick leave eligible uses (i.e., serious illness or medical condition of the employee; serious illness or medical condition of a family member who requires the employee's assistance); or foster care placement in the employee's home.

D. A supervisor is to provide advanced leave for the purposes cited above, irrespective of an employee's existing leave balance. For example, even if an employee has a substantial balance of annual leave available to cover the medically necessitated portion of their absence associated with childbirth, if they request advanced sick leave, a supervisor is to approve the request. However, the supervisor should not advance sick leave or annual leave when it is known, or reasonable to expect that the employee will not return to duty.

DISTRIBUTION: Electronic; All Field Employees

NOTICE EXPIRES: 3/1/20

OPI: OPPD

E. The Office of Personnel Management has developed comprehensive guidance in the document entitled "[Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption and Foster Care.](#)"

III. QUESTIONS

Refer questions regarding this notice to PayAndLeaveGuidance@usda.gov.

A handwritten signature in black ink that reads "Sabrina J. Wagner". The signature is written in a cursive style with a large initial 'S'.

Assistant Administrator
Office of Policy and Program Development