

HOURS OF DUTY AND LEAVE

1. **REASON FOR ISSUE:** To reissue Department of Veterans Affairs (VA) policy regarding hours of duty and leave.
2. **SUMMARY OF CONTENTS/MAJOR CHANGES:** This directive sets forth policies previously contained in numerous other issuances. No substantive changes have been made.
3. **RESPONSIBLE OFFICE:** Worklife and Benefits Service (058), Office of Human Resources Management.
4. **RELATED HANDBOOK:** VA Handbook 5011, "Hours of Duty and Leave."
5. **RESCISSIONS:** Refer to the Transmittal Sheet for VA Directive 5001, "General Introduction and Administration."

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY OF
VETERANS AFFAIRS:**

/s/
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Assistant Secretary for
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/s/
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HOURS OF DUTY AND LEAVE

1. **PURPOSE.** This directive contains existing policy on the establishment of duty schedules and on leave administration for Department of Veterans Affairs (VA) personnel. It is applicable to General Schedule employees (including title 38 hybrid employees appointed to positions listed in 38 U.S.C. 7401(3)); Federal Wage System employees; non-U.S. citizen employees employed outside the United States; physicians, dentists, podiatrists, chiropractors, optometrists, nurses, nurse anesthetists, physicians assistants, and expanded-function dental auxiliaries appointed under 38 U.S.C., chapter 73 and 74; and non-physician/non-dentist program directors and other key executives appointed under 38 U.S.C. 7306(a)(7) or (9). This directive should be used in conjunction with VA Handbook 5011, which contains mandatory guidance and procedures on hours of duty and leave administration in VA.
2. **POLICY.**
 - a. The VA leave program for employees shall be administered fairly and uniformly within the meaning of the provisions of this directive and VA Handbook 5011.
 - b. In scheduling hours and tours of duty for VA employees, primary consideration will be given to efficiency in management and conduct of an agency functions, and equitable treatment of individual employees.
 - c. When tours of duty must necessarily vary from the normal tour, employees will be given the opportunity of discussing their assignment and of having their views or personal problems arising in connection with such assignment considered. Tours of duty will not be changed arbitrarily and insofar as possible, employees will be given notice of any change in their work schedule at least one administrative workweek in advance. Sympathetic consideration will be extended to employees who have religious scruples against working on their Sabbath. If practicable, mutually satisfactory exchange of duty assignments may be worked out for such employees or substitute work-time may be provided to offset the time required for religious observance. Insofar as possible, work schedules should be arranged to permit employee's observance of their Sabbath on whatever day it occurs.
 - d. All employees are expected to be on duty during the full period of their tours of duty unless absent on approved leave; to observe the opening and closing hours established for the tour of duty; and to adhere to established luncheon periods.
 - e. In the establishment of work schedules, employees will have their assignments scheduled in advance over periods of not less than one administrative workweek and such schedules will be established in a manner that realistically reflects the actual work requirement.
 - f. The occurrence of holidays shall not affect the designation of the basic workweek.
 - g. Duty schedules for title 38 healthcare employees shall be established as appropriate and necessary for performance of services in the care and treatment of patients and other essential activities within the administration of the Under Secretary for Health or designated officials.

3. RESPONSIBILITIES.

- a. Statements of responsibility for VA [hours of] duty and leave administration programs may be found in each of the separate parts or chapters of VA Handbook 5011. In those instances where a specific statement of responsibility has not been listed in a specific part or chapter of VA Handbook 5011, the officials listed below have responsibility for making [hours of] duty and leave determinations.
- b. The Secretary, or designee, is the approving official for duty and leave actions for employees occupying positions centralized to that office, including flexible and compressed work schedules.
- c. The Under Secretary for Health by direction of the Secretary is responsible for the direction and administration of the duty and leave policies and instructions for title 38 employees.
- d. Administration Heads, Assistant Secretaries, Other Key Officials, and Deputy Assistant Secretaries, or their designees, are responsible for approving, disapproving or discontinuing duty and leave actions, including flexible and compressed work schedules, for VA Central Office employees in their organizations.
- e. Facility directors are responsible for approving, disapproving or discontinuing duty and leave actions for employees under their jurisdiction, including flexible and compressed work schedules.
- f. Supervisors are responsible for ensuring that sufficient numbers and kinds of personnel are scheduled to be present to carry out operations in an efficient and economical manner, including ensuring that there is adequate coverage during public business hours. They must also ensure that all employees are treated equitably.
- g. Employees are responsible for meeting their basic work requirements.
- h. The [Chief Human Capital Officer] for Human Resources Management [] will advise management and operating officials on the policies and procedures in this directive.

4. REFERENCES.

- a. 38 U.S.C. 7421(a)
- b. 38 U.S.C., chapters 73 and 74.
- c. 5 U.S.C., chapters 51, 55, [] 61[, 63, and 65].
- d. Executive Order 10358 as amended.
- e. 5 CFR, parts 550[,] 610[, and 630].
- f. Public Law 95-390[, 111-292]