



**Office of Human Resources and Administration
Worklife and Benefits Service (058)**

Fact Sheet: Annual Leave for Title 38 Employees

Employees are encouraged to use annual leave for rest and relaxation purposes. Annual leave can also be used for personal business, emergency reasons, and/or family needs (e.g., religious observations, attendance at conferences or conventions, etc.).

Department of Veterans Affairs Annual Leave Policy

Departmental policy on this leave is located in VA Handbook 5011, Part III, Chapters 2 and 3.

Eligibility Requirements

This fact sheet applies to the following groups of employees:

- Physicians, dentists, chiropractors, podiatrists, and optometrists appointed under 38 USC 7401 or 7405,
- Nurses, nurse anesthetists, physician assistants (PAs), and expanded-function dental auxiliaries (EFDAs),
- Senior Executive Service (SES) employees, and
- 7306 appointees in the Office of the Under Secretary for Health

Temporary appointments (as identified above) with appointments expected to last 90 days or more or have been continuously employed for at least 90 days under one or more appointments are also eligible to accrue annual leave.

Earning Rates

Full-Time Physicians, Dentists, Chiropractors, Podiatrists, and Optometrists	8 hours earned each pay period
Full-Time Nurses, Nurse Anesthetists, PAs, and EFDAs	8 hours earned each pay period
Part-Time Title 38 Employees	1 hour earned for each 10 hours in a pay status
SES and 7306 appointees	8 hours earned each pay period

Annual Leave Ceiling* (Maximum Accumulation)

Full-Time Physicians, Dentists, Chiropractors, Podiatrists, and Optometrists	685 hours
Full-Time Nurses, Nurse Anesthetists, PAs, and EFDAs	685 hours
Part-Time Title 38 Employees	240 hours
SES and 7306 appointees	720 hours

*Any accrued annual leave in excess of the maximum amount allowed by law or applicable regulations will be forfeited.

Minimum Leave Charges

Full-Time Physicians, Dentists, Chiropractors, Podiatrists, and Optometrists	1-hour increments
Full-Time Nurses, Nurse Anesthetists, PAs, and EFDAs	Quarter hour (15 minute) increments
Part-Time Title 38 Employees	Quarter hour (15 minute) increments
SES and 7306 appointees	Quarter hour (15 minute) increments

Advanced Annual Leave

There is no entitlement to advanced annual leave. Annual leave, not to exceed 208 hours, may be advanced to these employees at any time. For employees on time-limited appointments, annual leave shall not be advanced in an amount in excess of the amount which could be accrued during the remainder of the current appointment.

Advanced annual leave should not be granted to an employee when it is known that the employee will retire or be separated before the amount advanced can be earned, or when it is reasonable to expect that the employee will not return to duty.

References

- 38 U.S.C. Chapters 73 and 74
- 5 U.S.C. Chapter 63
- PL 114-315
- VA Handbook 5011, Part III, Chapter 2 and 3