

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

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# FSIS NOTICE

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1/25/18

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

### I. PURPOSE

This notice reminds supervisors and employees about the leave 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 a qualifying, serious medical situation, 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, supervisors are 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, supervisors are to approve the maximum amount of annual leave allowable which would include 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. Supervisors are to provide advanced leave for the purposes listed above, irrespective of an employee's existing leave balance. For example, even if employees have a substantial balance of annual leave that they could use to cover the medically necessitated portion of their absence associated with childbirth, if they request advanced sick leave, the supervisor must 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.

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**DISTRIBUTION:** Electronic; All Field Employees

**NOTICE EXPIRES:** 2/1/19

**OPI:** OPPD

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

### III. QUESTIONS

Refer questions regarding this notice to Evelyn McGovern, Chief of the Employment, Classification, and Compensation Branch, at (202)708-8173, or at [evelyn.mcgovern@fsis.usda.gov](mailto:evelyn.mcgovern@fsis.usda.gov).

A handwritten signature in black ink that reads "Sabrina J. Wagner". The signature is written in a cursive, flowing style.

Assistant Administrator  
Office Policy and Program Development