

3 FAH-1 H-3330 DISPOSITION OF LEAVE BALANCES

This subchapter contains guidelines and procedures which implement the regulations published in 3 FAM 3330 and should be used in conjunction with that subchapter.

3 FAH-1 H-3331 INCLUSION OF SPECIAL DIFFERENTIALS

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

Foreign Service Officers are entitled to have such amount included in their lump-sum payment. (See Comptroller General Decision B-227716, March 23, 1988) if :

— They were assigned to a differential post before October 1991; and

— At the time of separation they are receiving a special differential under the provisions of 3 FAM 3100 .

3 FAH-1 H-3332 APPROVAL OF LUMP-SUM PAYMENT

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

Procedures for obtaining headquarters approval for lump-sum payments are found in:

STATE	See 3 FAM 3760 for instructions concerning completion of a TMFIVE Payments will be made in accordance with 4 FAH-3 H-537 .
USIA	See MOA V-B, 682.4
USAID	See Handbook 27, Chapter 3.

3 FAH-1 H-3333 REEMPLOYMENT AFTER SEPARATION FROM THE FEDERAL SERVICE

3 FAH-1 H-3333.1 Refund of Lump-Sum Payment Upon Reemployment

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

If a person is reemployed (whether the new appointment is more or less than 90 days), in a leave-earning capacity, prior to the expiration of the period covered by a lump-sum payment (8 hours of annual leave equals one working day), the employee shall refund a gross amount equal to the lump-sum leave payment covering the period between the date of reemployment and the expiration of the period covered by the lump-sum payment to:

State & USIA	Headquarters or post, as appropriate
USAID	Agency Cashier, M/FM/CMP (a copy of any documentation received that describes the hours covered and payment made should be included with the check.)
Commerce	As arranged by the Office of Foreign Service Personnel (OFSP).

3 FAH-1 H-3333.2 Recredit of Annual Leave After Refund of Lump-Sum Payment

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

If the employee is in a position under:

Same Leave System	Leave is recredited in an amount equal to the amount represented by the refund.
Different Leave System	Leave is recredited on an adjusted basis so that seven calendar days of leave equal five workdays of leave.

3 FAH-1 H-3333.3 Recredit of Sick Leave Upon Reemployment

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

a. Individuals who are reemployed in the Federal Service in a leave earning capacity on or after December 2, 1994 shall, without regard to the length of break in service, have their sick leave account reinstated by the employing agency for credit or charge.

b. Individuals who were reemployed in the Federal Service prior to December 2, 1994 should consult with their personnel office to determine whether the law and regulations in effect at the time they returned to service provided for recrediting of sick leave.

3 FAH-1 H-3333.4 Reemployed Civil Service Annuitants

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

The lump-sum leave payment to an employee who was retired under the Civil Service Retirement System (5 U.S.C. 8331-8348) and subsequently reemployed, will be computed at the full salary rate of the reemployed position without reduction of the amount of the employee's retirement annuity (36 Comp Gen 209).

3 FAH-1 H-3334 ACTIVE MILITARY SERVICE

3 FAH-1 H-3334.1 Upon Entering Active Military Service

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

a. An employee entering active military service with the U.S. Armed Forces may elect to receive payment for accumulated annual leave to the employee's credit on the date of separation. (see 3 FAM 3333.1-2 for computation of lump sum payment).

b. Alternately, the employee may elect to have the annual leave remain to his/her credit for use upon return from military service (see section **3 FAH-1 H-3333.1** and **3 FAH-1 H-3333.2**).

3 FAH-1 H-3334.2 Delayed Request for Lump Sum

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

On the request of an employee at any time before reemployment, payment will be made for all the leave retained which otherwise would be liquidated by a lump-sum payment.

3 FAH-1 H-3334.3 Sick Leave

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

Sick leave to an employee's credit remains in the employee's leave account upon entering active military service (see 3 FAH-1 H-3333.3).

3 FAH-1 H-3334.4 Unearned Annual and Sick Leave

(TL:POH-9; 4-3-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service Employees)

Employees entering active military service with restoration rights are not required to liquidate any indebtedness for unearned annual and sick leave. Any indebtedness will remain on the employee's leave account until reemployed.

3 FAH-1 H-3335 THROUGH H-3339 UNASSIGNED