

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III - EMPLOYEES

Subpart E - Attendance and Leave

CHAPTER 63 - LEAVE

SUBCHAPTER VI - LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

§ 6391. Authority for leave transfer program in disasters and emergencies

- (a) For the purpose of this section—
 - (1) “employee” means an employee as defined in section 6331 (1); and
 - (2) “agency” means an Executive agency.
- (b) In the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management to establish an emergency leave transfer program under which any employee in any agency may donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by such disaster or emergency.
- (c) The Office shall establish appropriate requirements for the operation of the emergency leave transfer program under subsection (b), including appropriate limitations on the donation and use of annual leave under the program. An employee may receive and use leave under the program without regard to any requirement that any annual leave and sick leave to a leave recipient’s credit must be exhausted before any transferred annual leave may be used.
- (d) A leave bank established under subchapter IV may, to the extent provided in regulations prescribed by the Office, donate annual leave to the emergency leave transfer program established under subsection (b).
- (e) Except to the extent that the Office may prescribe by regulation, nothing in section 7351 shall apply to any solicitation, donation, or acceptance of leave under this section.
- (f) After consultation with the Administrative Office of the United States Courts, the Office of Personnel Management shall provide for the participation of employees in the judicial branch in any emergency leave transfer program under this section.
- (g) The Office shall prescribe regulations necessary for the administration of this section.

(Added Pub. L. 105–18, title II, § 9004(a), June 12, 1997, 111 Stat. 196; amended Pub. L. 109–229, § 1, May 31, 2006, 120 Stat. 390.)

Amendments

2006—Subsecs. (f), (g). Pub. L. 109–229 added subsec. (f) and redesignated former subsec. (f) as (g).