

103^D CONGRESS
1ST SESSION

H. R. 2052

To extend the provisions of title 5, United States Code, relating to leave-transfer programs for an additional 5 years, and to modify those programs to permit transfers of sick leave in addition to annual leave.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 1993

Mrs. MORELLA introduced the following bill; which was referred to the
Committee on Post Office and Civil Service

A BILL

To extend the provisions of title 5, United States Code, relating to leave-transfer programs for an additional 5 years, and to modify those programs to permit transfers of sick leave in addition to annual leave.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Employees
5 Leave Sharing Act of 1993”.

6 **SEC. 2. EXTENSION OF PROGRAMS.**

7 Section 2(d)(1) of the Federal Employees Leave
8 Sharing Act of 1988 (5 U.S.C. 6331 note) is amended

1 by striking “5 years” each place it appears and inserting
2 “10 years”.

3 **SEC. 3. AUTHORITY TO TRANSFER SICK LEAVE.**

4 (a) DIRECT TRANSFERS OF LEAVE.—

5 (1) IN GENERAL.—Subchapter III of chapter
6 63 of title 5, United States Code, is amended by in-
7 serting after section 6338 the following:

8 **“§ 6338a. Sick leave**

9 “(a) The Office of Personnel Management shall by
10 regulation modify the program established under the pre-
11 ceding provisions of this subchapter so as to permit, in
12 addition to annual leave, the transfer and use of sick leave.

13 “(b) To the extent feasible, the terms and conditions
14 governing the transfer and use of sick leave under the reg-
15 ulations shall be the same as those governing the transfer
16 and use of annual leave under the preceding provisions
17 of this subchapter, subject to the following:

18 “(1) Sick leave may not be transferred or used
19 in connection with any purpose for which accrued
20 sick leave could not be used by the leave recipient
21 under subchapter I.

22 “(2) Sick leave received under this sub-
23 chapter—

1 “(A) may not be used before the exhaus-
2 tion requirement under section 6333(b) has
3 been met; and

4 “(B) shall not (for restoration purposes, if
5 applicable) be considered to have been used be-
6 fore all transferred annual leave has been ex-
7 hausted.

8 “(3) Nothing in this section shall affect the
9 maximum amount of sick leave or annual leave
10 which may be accrued by a leave recipient while
11 using any leave received under this subchapter in
12 connection with a particular medical emergency.”.

13 (2) TECHNICAL AND CONFORMING AMEND-
14 MENTS.—

15 (A) PROHIBITION OF COERCION.—Section
16 6338(a) of title 5, United States Code, is
17 amended by striking “annual leave” and insert-
18 ing “annual or sick leave”.

19 (B) EXCEPTED AGENCIES.—Section
20 6339(c)(1) of title 5, United States Code, is
21 amended—

22 (i) by striking “annual leave accrued”
23 and inserting “annual or sick leave ac-
24 crued”; and

1 (ii) by striking “annual leave account”
2 and inserting “annual or sick leave account
3 (as applicable)”.

4 (b) LEAVE BANK PROGRAM.—

5 (1) IN GENERAL.—Subchapter IV of chapter 63
6 of title 5, United States Code, is amended by insert-
7 ing after section 6371 the following:

8 **“§6371a. Sick leave**

9 “(a) The Office of Personnel Management shall by
10 regulation modify the program established under the pre-
11 ceding provisions of this subchapter so as to permit, in
12 addition to annual leave, the contribution and use of sick
13 leave.

14 “(b) To the extent feasible, the terms and conditions
15 governing the contribution and use of sick leave under the
16 regulations shall be the same as those governing the con-
17 tribution and use of annual leave under the preceding pro-
18 visions of this subchapter, subject to the following:

19 “(1) Sick leave may not be used in connection
20 with any purpose for which accrued sick leave could
21 not be used by the leave recipient under subchapter
22 I.

23 “(2) Sick leave may be contributed instead of
24 annual leave in order to satisfy, in whole or in part,
25 the requirements of section 6366(a)(2)(A).

1 “(3) Sick leave received under this subchapter
2 may not be used before the exhaustion requirement
3 under section 6367(c) has been met.

4 “(4) Nothing in this section shall affect the
5 maximum amount of sick leave or annual leave
6 which may be accrued by a leave recipient while
7 using leave received under this subchapter in connec-
8 tion with a particular medical emergency.”.

9 (2) TECHNICAL AND CONFORMING AMEND-
10 MENTS.—

11 (A) PROHIBITION OF COERCION.—Section
12 6370(a) of title 5, United States Code, is
13 amended by striking “annual leave” and insert-
14 ing “annual or sick leave”.

15 (B) EXCEPTED AGENCIES.—Section
16 6372(c)(1) of title 5, United States Code, is
17 amended by striking “annual leave accrued”
18 and inserting “annual or sick leave accrued”.

19 (c) TABLE OF CONTENTS.—The table of sections for
20 chapter 63 of title 5, United States Code, is amended—

21 (1) by inserting after the item relating to sec-
22 tion 6338 the following:

“6338a. Sick leave.”;

23 and

24 (2) by inserting after the item relating to sec-
25 tion 6371 the following:

“6371a. Sick leave.”.

1 (d) EFFECTIVE DATE.—Regulations required to be
2 prescribed by the Office of Personnel Management under
3 the amendments made by this section shall become effec-
4 tive not later than January 31, 1994.

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