



**AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
NATIONAL VETERANS AFFAIRS COUNCIL #53
Affiliated with the AFL - CIO
Mid-Term Bargaining Committee**

Oscar L. Williams Jr., Chair 2 nd Exec. V-President 29 Lake Street Danville, IL 61832-6101	Bill Wetmore, Member 3 rd Exec. V-President 2319 Alava Court Waldorf, MD 20603	Willie Haywood, Member 6 th Dist. Rep., NVAC 17705 Garden Blvd. Cleveland, OH 44128	Jeff Stadek, Member 13 th Dist. Rep., NVAC VAMC 3601 S. 6 th Ave. Tucson, AZ 85723	Stephanie Starks, Member National Rep., NVAC VAMC Philadelphia Philadelphia, PA 19104
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September 25, 2012

Leslie B. Wiggins, Deputy Assistant Secretary
Office of Labor Management Relations (LMR)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Subject: VA Handbook 5011 Hours of Duty and Leave – Final Regulations on the Use of Sick Leave and Advanced Sick Leave for Serious Communicable Diseases

Dear Ms. Wiggins:

In accordance with Article 47 Section 2 C., of the Master Agreement the National VA Council #53 is formally demanding to bargain on VA Handbook Hours of Duty and Leave cited above within the Department. Please provide the above named Mid-Term Bargaining Committee with all information and/or data related to the subject. The negotiations of this matter should normally begin no later than twenty (20) workdays after the Management Chief Negotiator receives our demand to bargain.

Please cease and desist any implementation until the bargaining obligation has been met. The named NVAC's Mid-Term Bargaining Committee may request a briefing over the cited subject above, before sending any proposals. If you have any questions please call me at (217) 554-4866.

Sincerely,

Oscar L. Williams, Jr.
Chairperson, Mid-Term Bargaining Committee
2nd Executive Vice President
National VA Council #53

cc: Alma L. Lee, President National VA Council #53
NVAC Executive Committee

AFGE: Good Government We Are Ready!



DEPARTMENT OF VETERANS AFFAIRS
Deputy Assistant Secretary for
OFFICE LABOR-MANAGEMENT RELATIONS
Washington DC 20420

SEP 24 2012

Oscar L. Williams, Jr.
2nd Executive Vice President
National VA Council AFGE
29 Lake Street
Danville, IL 61832

Dear Mr. Williams:

On December 3, 2010, the Office of Personnel Management (OPM) issued final regulations on the use of sick leave and advanced sick leave for serious communicable diseases, including pandemic influenza when appropriate. The final regulations also allow employees to substitute sick leave for unpaid Family and Medical Leave Act (FMLA) leave to care for a seriously injured or ill covered service-member, as authorized under the National Defense Authorization Act, including up to 30 days (240 hours) of advanced sick leave for this purpose. In addition, OPM reorganized its existing sick leave regulations to enhance reader understanding and administration of the program.

Please disregard the previous notice dated October 6, 2011 regarding this policy revision. Accordingly, enclosed for your review and comment is VA Handbook 5011, Hours of Duty and Leave.

This handbook contains mandatory procedures on hours of duty and leave. The pages in this handbook replace the corresponding page numbers in VA Handbook 5011. Revised text is contained in [brackets].

Significant changes include:

- a) Allows sick leave to be granted to provide care for a family member whose presence in the community would jeopardize the health of others due to exposure of that family member to a communicable disease;
- b) Establishes the maximum amount of advance sick leave that may be approved for general family care and bereavement purposes and for serious health conditions for employees covered by the Title 5 leave system;
- c) Establishes that full-time employees covered by the Title 5 leave system may substitute up to 26 administrative work weeks of accrued or accumulated sick leave when using Family and Medical Leave Act (FMLA) leave under 5 U.S.C. 6382(a)(3) to provide care for a covered service-member. Substituted sick leave will be prorated for part-time employees and employees on uncommon tours of duty.
- d) Clarifies the entitlement of Title 38 employees to Family and Medical Leave Act coverage to include coverage as noted in item (c) above.
- e) Revised or deleted CFR references regarding sick leave based on OPM's reorganization.

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The proposed implementation date is November 2, 2012. If you would like to bargain or schedule a briefing on this matter, please contact Edson Morales no later than October 23, 2012.

Edson can be reached at Edson.Morales@va.gov or (631) 261- 4400 extension 2746. Questions regarding this handbook should be addressed to George Miller at (202) 461-7989 or George.Miller@va.gov.

Sincerely yours,



Leslie Wiggins
Deputy Assistant Secretary
for Labor-Management Relations

Enclosure

Received

SEP 25 2012

Nat'l VA Council
Midterm Bargaining Committee