

Disabled Veteran Leave Law Only Applies to New Title 5 Feds

By Kellie Lunney

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The new law providing a full year's sick leave up front to new federal employees who are disabled veterans only applies to those hired on, or after Nov. 5, 2016.

The 2015 [Wounded Warriors Federal Leave Act](#) gives 104 hours of sick leave up front to first-year feds who are vets with a service-connected disability rating of at least 30 percent to attend medical appointments related to their disability. It also only applies to those new feds who are covered under Title 5 leave provisions, and including employees of the Postal Service and Postal Regulatory Commission. Non-Title 5 disabled veteran employees hired on or after Nov. 5, 2016, including those at the Federal Aviation Administration and Transportation Security Administration, are not eligible for the new benefit. Many jobs at the Veterans Affairs Department, for instance, also are not covered under Title 5. Title 5 governs most, but not all, of the federal personnel system.

Current federal employees who are disabled veterans also are not eligible for the new type of leave.

Obama signed the bill into law on Nov. 5, 2015, and it applies to those hired a year after its enactment.

The Office of Personnel Management on Tuesday [published some initial guidance](#) on the new law to agencies. OPM has to publish implementing regulations within 9 months of the law's enactment.

Agencies have to create a separate leave category – apart from regular sick leave – for disabled veteran leave for eligible employees. During their first year on the job, those vets would still accumulate their normal sick leave. The employees only would be able to use their disabled veteran leave for treatments directly related to their service and would not be able to carry over the one-time “wounded warrior leave” after the first 12 months on the job.

“Agencies will have to monitor the use of this new leave category and ensure that any leave to the credit of the employee after the 12-month period is forfeited and removed from an employee's disabled veteran leave account,” the Nov. 24 OPM notice said. Eligible employees must submit medical documentation from a health care provider proving the leave was used for treatment related to the service-connected disability.

Prior to the new law, full-time federal workers in their first year on the job did not have access to sick leave when they started, accruing four hours of such leave per pay period as is typical. That amounts to a balance of 104 hours at the end of their first year. But disabled vets, who must attend regular medical appointments to maintain their health and to continue receiving their veterans' benefits, can burn up their sick leave quickly.

For current federal employees who are disabled veterans, the government provides other types of leave and flexibilities to

receive treatment for their service-connected disability including leave without pay, annual leave, sick leave, advanced sick leave, alternative work schedules, and telework.

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