



United States Department of Agriculture

Departmental
Administration

Office of the
Assistant Secretary
for Administration

Office of Human
Resources
Management

1400 Independence
Avenue, SW
Washington, DC
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DATE: August 6, 2021

TO: Mission Area Chief Operating Officers and Staff Office Equivalents
Mission Area Chief Human Capital Officers

FROM: Mary Pletcher Rice
Chief Human Capital Officer

SUBJECT: Administrative Leave for COVID-19 Vaccinations

The health and wellbeing of USDA's employees, contractors and visitors is the top priority. This memorandum provides guidance on the use of administrative leave for COVID-19 vaccinations and potential side effects for USDA employees and family members. This guidance aligns with the Safer Federal Workforce Task Force Model Safety Principles on [Leave](#).

Administrative Leave for Employee Vaccination

USDA began authorizing administrative leave for employees to receive vaccinations on February 10, 2021. Supervisors must grant leave-eligible employees up to 4 hours of administrative leave per dose to use as needed (8 hours of leave for employees receiving two doses). If an employee needs to spend less time getting the vaccine, only the needed amount of administrative leave should be granted. Additional time may be granted for extenuating circumstances such as the distance to the vaccination site. Employees may only receive administrative leave during their normal work hours and may not receive administrative leave or overtime work for time spent getting a vaccination outside their tour of duty.

Administrative Leave for Side Effects from Employee Vaccination

Supervisors must grant up to 2 workdays of administrative leave if an employee has an adverse reaction to a COVID-19 vaccination dose. If more than 2 workdays are needed to recover, the employee may request emergency paid leave or other appropriate leave (e.g., sick leave, annual leave, etc.). Providing administrative leave for side effects from employee vaccination is retroactive. To the extent this leave has not been provided, mission areas should work with employees to process corrected timesheets.

Administrative Leave for Family Members Receiving Vaccination

Supervisors must grant leave-eligible employees up 4 hours of administrative leave to accompany a family member who is receiving a COVID-19 vaccination (8 hours of leave for two doses). If an employee needs to spend less time to assist their family member, only the needed amount of administrative leave should be granted. Employees may only receive administrative leave during their normal work hours and may not receive administrative leave or overtime work for time spent helping a family member getting a vaccination outside their tour of duty. This policy applies to covered vaccinations received after July 29, 2021.

A family member is defined under [5 CFR 630.201](#) and means an individual with any of the following relationships to the employee:

1. Spouse, and their parents;
2. Children (biological, adopted, step and foster children), and their spouses;
3. Parents, and their spouses;
4. Brothers and sisters, and their spouses;
5. Grandparents and grandchildren, and their spouses;
6. Domestic partner and their parents, including domestic partners of any individual in (2) through (5) of this definition; and
7. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Labor Obligations

Under 5 U.S.C. § 7106 (a)(2)(D) of the Federal Service Labor-Management Relations Statute, an agency may take whatever actions are necessary to carry out its mission during emergencies. The delta variant outbreak constitutes an emergency allowing agencies to unilaterally implement the Safer Federal Workforce Task Force's guidance on the use of administrative leave for COVID-19 vaccinations to encourage vaccinations for reducing or preventing such outbreaks.

Consequently, to the extent this subject is not “covered by” an existing agreement, we advise your agency to issue appropriate union notice, and provide your union(s) an opportunity to engage in post-implementation impact and implementation bargaining. Should you have any labor relations questions or concerns please contact Dan Kline at (202) 570-8610 or by email at Dan.Kline2@usda.gov.

If you have any questions about this guidance, please contact Mary Pletcher Rice (mary.pletcher@usda.gov) or Doug Follansbee (douglas.follansbee@usda.gov).