

Leave Without Pay - Terminal Leave Without Pay (T-LWOP) for Eligible Family Members PCSing with their Sponsor

U.S. Army policy is to support the continued Federal employment of family-member employees relocating with their sponsors to the United States. Family members who are in a permanent position and on a competitive status appointment (i.e., career-conditional or career) or are eligible for noncompetitive appointment under 5 CFR 315.608 (Executive Order 12721), may request terminal leave without pay (T-LWOP) under the USAREUR T-LWOP program. Supervisors will grant 1 year of T-LWOP to eligible employees relocating to the United States who apply for T-LWOP.

Common Questions and Answers:

Q. Are temporary employees eligible for T-LWOP?

A. Family member employees must be working in a permanent appropriated fund (i.e., GS or WG position) at the time of request.

Q. Are all family members on a competitive status appointment eligible for T-LWOP?

A. Family member employees are not eligible for T-LWOP if they are on their own rotation agreement. For example, a civilian employee hired from the United States, on a rotation agreement, marries an active duty military. Although the employee becomes a dependent of the active duty military, the conditions of employment did not change.

Q. If I was hired locally, how do I know that I am eligible for noncompetitive appointment under 5 CFR 315.608 (Executive Order 12721)?

A. Creditable overseas service for locally hired family members is 52 weeks of service in an appropriated fund (GS or WG) position(s) under a local hire appointment overseas while accompanying a sponsor officially assigned to an overseas area. In addition, the family member's job performance rating must be fully successful or higher rating (TAPES rating 3, 2, or 1). Creditable service may have been under more than one overseas appropriated fund appointment.

Q. How would I apply for T-LWOP?

A. To apply for T-LWOP, you must complete an Application for Terminal Leave Without Pay (T-LWOP). Provide this form to your supervisor along with a copy of your sponsor's PCS orders. Make sure you are listed as a dependent on the orders. Your supervisor will need to prepare two Requests for Personnel Actions (RPAs). One is for your T-LWOP request and one is for your resignation which is effective upon the expiration of the T-LWOP should you still not be employed. You must include your reason for requesting the action, along with your forwarding address.

Q. How long can I remain on T-LWOP?

A. Eligible family members employees returning to the United States with their sponsor are placed on one year of T-LWOP. Eligible family member employees may request T-LWOP when the sponsor relocates to another overseas location. Management can approve T-LWOP for up to 90 calendar days.

Q. Can I use annual leave in conjunction with T-LWOP?

A. An employee cannot be granted annual leave once on T-LWOP status. Annual leave can be used prior to the entering T-LWOP status if approved by the supervisor for use prior to departing the overseas location. However, after the sponsor leaves the duty station, an employee's T-LWOP entitlement will be reduced by the amount of time the employee continues to be in a pay status (this includes approved paid leave).

Q. Can I be paid out my leave before going on T-LWOP?

A. Employees must resign to receive lump sum compensation for their accrued annual leave. Lump sum sick leave is not paid out. However, sick leave will be reinstated on your leave record once you are rehired with the Federal Government. Therefore, it is recommended that you make sure to save your last Earning and Leaving Statement (LES).

Q. Can I collect unemployment compensation while on T-LWOP?

A. The Civilian Personnel Advisory Center (CPAC) cannot answer this. This is a state run program. Therefore you must submit a claim for unemployment compensation as soon as you return to the United States.

Q. What else should I know about T-LWOP?

- Employees granted T-LWOP are not entitled to return to the position vacated.
- The approved T-LWOP and the family member in the T-LWOP status are not affected when the employee's job or activity is abolished.
- Employees on T-LWOP are not counted against endstrength.
- The CPOC and CPACs will not issue reduction-in-force notices to employees on T-LWOP, because these employees cannot return to their overseas positions.

Q. Where can I get more information on T-LWOP?

A. Your Civilian Personnel Advisory Center (CPAC) can help advise you.