**U. S. Department of Justice**

Executive Office for Immigration Review

*Office of the Chief Immigration Judge*

Chief Immigration Judge

*5107 Leesburg Pike, Suite 2545*
*Falls Church, Virginia 22041*

August 27, 1998

**MEMORANDUM**

TO: All Deputy Chief Immigration Judges
All Assistant Chief Immigration Judges
All Immigration Judges
All Court Administrators
All Support Personnel

FROM: Office of the Chief Immigration Judge

SUBJECT: Operating Policy and Procedure Memorandum No. 98-4: Scheduling Leave and Approval of Leave Requests and Time & Attendance Reports for Court Personnel

I. Requests for Leave:

A. Requests from Immigration Judges:

Leave requests from Immigration Judges are to be submitted to the Assistant Chief Immigration Judge according to leave submission schedules set by each ACIJ. Among the factors that will be considered in setting the schedule for submitting leave requests are how far out calendars are in individual courts, details, IHP schedules, conferences, and holidays.

B. Requests from All Other Personnel:

All other personnel may submit leave requests to their immediate supervisors at any time during the year unless directed otherwise by the supervisor.

II. Requests for Emergency Annual and Sick Leave:

A. Requests from Immigration Judges:

All Judges who are unable to report for duty because of personal emergencies should notify the Court Administrator, who will notify the ACIJ. At or before the beginning of the next regularly scheduled duty day, the Judge should submit a request for leave to the ACIJ. If the personal emergency is expected to last longer than one day, the Judge should personally contact the ACIJ for approval. Until the ACIJ is notified of the extended emergency, approval cannot be granted and the Judge will be considered absent without leave (AWOL).

B. Requests from All Other Personnel:

All other personnel who are unable to report for duty because of a personal emergency should notify their immediate supervisor. At or before the beginning of the next regularly scheduled duty day, the employee should submit a request for leave to his/her supervisor.

Note: As a condition of granting emergency leave, the approving official may require the employee to submit certain documentation in support of the request for leave.

III. Approval of Annual and Sick Leave

An Application for Leave, SF-71, an electronic version of the SF-71, or an e-mail must be submitted for all leave.

A. All Immigration Judges, Judicial Law Clerks, and All Court Administrators:

Approval for all annual and foreseeable sick leave must be granted in advance by the ACIJ.

B. All Other Personnel:

All annual and foreseeable sick leave must be granted in advance by the immediate supervisor.

IV. Other Categories of Leave

A. Requests:

Requests for administrative leave, advanced leave, compensatory time, or leave without pay (LWOP), may be submitted at any time to the immediate supervisor; however, extended LWOP or extended advanced leave should be requested as far in advance of the requested period as possible.

B. Approval:

Approval for the use of administrative leave, advanced leave, compensatory time, or extended LWOP must be approved by the ACIJ for Immigration Judges, JLCs and Court Administrators; or by the Court Administrator for all other court personnel. All approvals must be in compliance with DOJ Order 1630.1B (Attachment A.)

V. Time and Attendance Reports **(For courts with authority to key their own T&As)**

Time and Attendance (T&A) Reports will be approved as follows:

A. Immigration Judges:

T&A Reports will be generated from the PC-TARE system (Attachment B) and signed by the Court Administrator, based on the leave requests previously approved by the ACIJ.

B. Court Administrators:

Court Administrators will forward their own T&A Report to their ACIJ for signature/approval. The ACIJ will return the T&A Report to the timekeeper.

C. All Other Personnel:

Time and Attendance Reports will be signed by the immediate supervisor.

VI. Time and Attendance Reports (For courts whose T&As are keyed by Personnel):

Time and Attendance worksheets for all court personnel will be signed by the Court Administrator. Time and Attendance worksheets for IJs and JLCs will be based on the leave requests previously approved by the ACIJ. All T&A worksheets are to be faxed directly to the Personnel Staff's Coordinator, at (703) 605-0640. **(It will no longer be necessary for you to submit the Judges' T&A worksheet to OCIJ headquarters.)**

VII. Time and Attendance Confirmation Report (For courts with authority to key T&As)

Every Monday, following the end of the pay period, a T&A audit (PC-TARE Batch Confirmation Report) report will be generated from the payroll/personnel database, to show employees actual hours and leave used. The report is used to verify that pre-approved leave, overtime, and compensatory time is what was actually transmitted to the National Finance Center, and paid against. The Personnel Staff will generate the T&A audit report for each Court, and forward it to the appropriate ACIJ.

The ACIJ will review, approve, and initial beside the Court Administrator's name.

The audit report will be mailed to the Immigration Court.

The Court Administrator shall review, approve, and sign the audit report for Immigration Judges and all other Court Personnel.

The report is to be maintained by the Immigration Court timekeeper.

VIII. Leave Report

The ACIJ and Court Administrator will receive a monthly leave balance report, from the Personnel Staff, which will reflect leave usage and leave balances for all Immigration Judges and other Immigration Court Staff.

Michael J. Creppy
Chief Immigration Judge